

# **Annual Complaint Performance & Service Improvement Report 2023/24**

## **(Housing)**

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## **Introduction**

As of 1<sup>st</sup> April 2024, the Housing Ombudsman's new Complaints Handling Code came into force, with a focus on greater transparency and accountability for providers of social housing.

The Social Housing (Regulation) Act 2023 granted new statutory powers to and placed statutory duties on the Housing Ombudsman.

The Regulator of Social Housing was also provided with additional powers to regulate and set out a new, more stringent set of Consumer Standards. One of the Consumer Standards, the Transparency, Influence and Accountability Standard set out that landlords must deal with complaints in a manner aligned with the Housing Ombudsman's Code. These requirements mean that it is more important than ever to ensure we have a robust approach to handling complaints, learning from them, implementing improvements, and publishing the data around this.

As part of the Housing Ombudsman's requirements for landlords, we now complete and publish our Complaints Handling Code Self-Assessment (link below) and produce this annual report to share our findings, successes, and lessons learned with the Ombudsman, the Council Members, and most importantly, our residents.

This report covers the period from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024, and encompasses all complaints relating to the services Oxford City Council (or those acting on our behalf) provide as a landlord. This does not include complaints regarding homelessness, housing benefit, or any other Local Authority functions that would come under the remit of the Local Government & Social Care Ombudsman.

These complaints may have come from tenants, shared owners, leaseholders, private residents, or third parties acting on behalf of any of those. The complaints were handled by either the Customer Care & Complaints team within Landlord Services or, where appropriate, by our contractor, ODS, on our behalf.

### **Further information on complaints**

Our annual self-assessment against the Housing Ombudsman's Complaint Handling Code: <https://www.oxford.gov.uk/downloads/file/1021/housing-complaint-handling-code-self-assessment>

Further information on our complaints procedure and how to make a complaint can be found here: <https://www.oxford.gov.uk/comments-compliments-complaints>

Information and support regarding complaints can be found on the Housing Ombudsman's website: <https://www.housing-ombudsman.org.uk/>

## Definition of a complaint

Based on the requirements of the Housing Ombudsman's Code, Oxford City Council defines a complaint as:

*A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council, its staff, or those acting on behalf of the Council, affecting an individual citizen or group of citizens.*

Service requests made for the first time and reports of anti-social/nuisance behaviour are not considered to be complaints for the purpose of our procedure. Complaints about Councillors, or about Freedom of Information and Subject Access Requests are subject to their own separate procedures and are also not included. We may also not consider complaints where the issue has already been addressed in a previous complaint, or regarding incidents that occurred more than 12 months ago. More information on what is and is not a complaint can be found on our website.

## The complaints process

A resident or their representative can make a complaint by telephone, by email, via our website, by post, or by speaking to their Tenancy Management Officer or other member of staff. It is not necessary to use the word 'complaint', as it is our duty to recognise an expression of dissatisfaction that meets the criteria and offer to record it as such.

We have a two-stage process, as set out in the Housing Ombudsman's Code.

### *Stage 1*

At Stage 1, the Code instructs us to acknowledge the complaint within 5 working days. This acknowledgement will set out our understanding of the complaint, what the complainant is looking for as a resolution, provide the date by which they can expect a response, and provide the contact details of the Housing Ombudsman.

The Code says we are to respond within 10 working days, and in this response we explain how we have investigated the complaint, set out our findings, confirm any action taken, state whether it has been upheld or not, offer compensation where appropriate, and detail what any next steps are, including how they can escalate to Stage 2. We also include the details of the Housing Ombudsman again.

We are permitted to use extensions when necessary, but this must be no more than 10 working days without good reason. Extensions may be required if it is a particularly complex case, if visits need to be arranged, if we need input from someone on annual leave, or if we are awaiting further information or evidence from the complainant. We will always explain why an extension is required.

## *Stage 2*

If someone is unhappy with the response they received at Stage 1, or if we fail to do what we agreed to do as part of the resolution offered, they can ask for their complaint to be considered at Stage 2 where it will be reviewed by someone more senior.

At Stage 2, the Code says we are to acknowledge the complaint within 5 working days. This acknowledgement will follow the same format as the one at Stage 1, as well as including confirmation as to why the complainant has escalated the complaint to Stage 2 (if known), and it will state if there are any issues from Stage 1 that have been resolved and don't require further investigation.

The Code allows us 20 working days to respond at Stage 2. In this response we will explain the outcome of our review and any additional investigation, as well as including any changes to the outcome and proposed resolution. Again, the details of the Housing Ombudsman are provided along with confirmation that they have completed the final stage of our internal process and can approach the Housing Ombudsman should they remain dissatisfied.

We are permitted to use extensions when necessary, but this must be no more than 20 working days without good reason. Extensions may be required for the same reasons given above. Again, we will always explain why an extension is required.

## *Housing Ombudsman*

We are required by law to be part of the Housing Ombudsman scheme and comply with their Code. As part of this, we have to publish an annual self-assessment of our compliance with the Code, as well as this report. Annual reports need to include details of all our determinations and orders made by the Housing Ombudsman against the Council in the year.

If we fail to meet our membership conditions, including following the Code, they can: issue a Complaint Handling Failure Order; report us to the appropriate regulator (this would be the Regulator of Social Housing for most complaint issues); and they can publish the details of the failure on their website and publicly via press releases.

The Housing Ombudsman require that a complaint has completed our internal process or has been declined for investigation by us before they will take the case. They may contact us to confirm that a complaint has been through Stage 2, or ask us to escalate it if it hasn't. They can also give us a deadline to provide a final response.

During their investigation, the Ombudsman will request evidence from us which we are obliged to provide. They may decide that the complaint sits outside of their jurisdiction and/or refer a case to the Local Government & Social Care Ombudsman. If they have identified a solution that could quickly resolve the issue, they can propose this, or they may suggest mediation.

Following an investigation, the Housing Ombudsman will issue a determination. They will decide if there has been a service failure, maladministration, or severe maladministration, or if they are satisfied with the actions we have taken. They can issue various orders, including instructing us to:

- Apologise to the complainant
- Pay compensation to the complainant
- Takes action to put things right
- Stop doing something they think we should not do
- Review our policies and practice.

We have to provide evidence to the Ombudsman that we have complied with their orders. If we fail to do as they ask, they can refer us to the relevant regulator, publish the details of our failure to comply, issue a Complaint Handling Failure Order, and/or apply to the Secretary of State to have their order enforced as if it were a court order.

## Performance

The following sections detail our complaints performance in 2023/24.

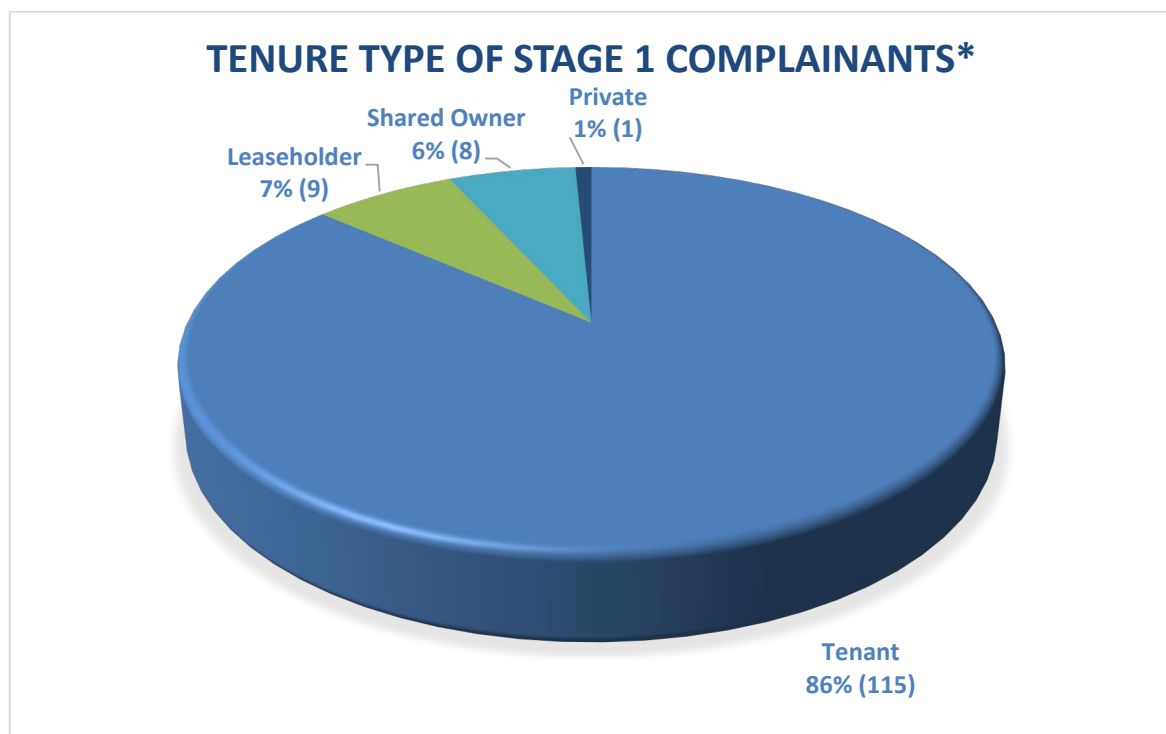
### *Stage 1*

From 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024, we handled the following number of complaints at Stage 1:

Stage 1 Complaints Handled by the Council	134
Stage 1 Complaints Handled by ODS	431
Stage 1 Complaints Total	565

In addition to the Stage 1 complaints handled by the Council, one was rejected as it was about a County Council issue, and one was withdrawn. ODS did not record if cases were rejected or withdrawn, and these are counted in their figures as 'Not Upheld'.

The chart below shows that 86% of the complaints handled within the Council came from tenants, with leaseholders and shared owners at 7% and 6% respectively, and complaints from private residents making up only 1%.



\* This is taken from complaints handled by the Council. ODS do not have records of the tenure type of the person making the complaint.

## Stage 1 complaints by service area

Overall, 59% of Stage 1 complaints were upheld, with 41% not upheld. Of these, within ODS 58% were upheld, and within the Council 61% were upheld.

	Total	Number Upheld
ODS	431	252
Property Services – Repairs & Maintenance	46	31
Tenancy Management	64	39
Anti-Social Behaviour	8	4
Home Ownership	5	3
Property Services – Other	5	1
Legal Services	3	2
Development/OX Place	1	1
Contact Centre	1	1
Involvement	1	0

## Stage 1 timescales

Of the Stage 1 cases handled by the Council, 31 were responded to using an extension to the target date. Reasons for this include delays in getting a response from the relevant department, awaiting reports from external contractors, staff leave/sickness absence, and awaiting further information from the complainant.

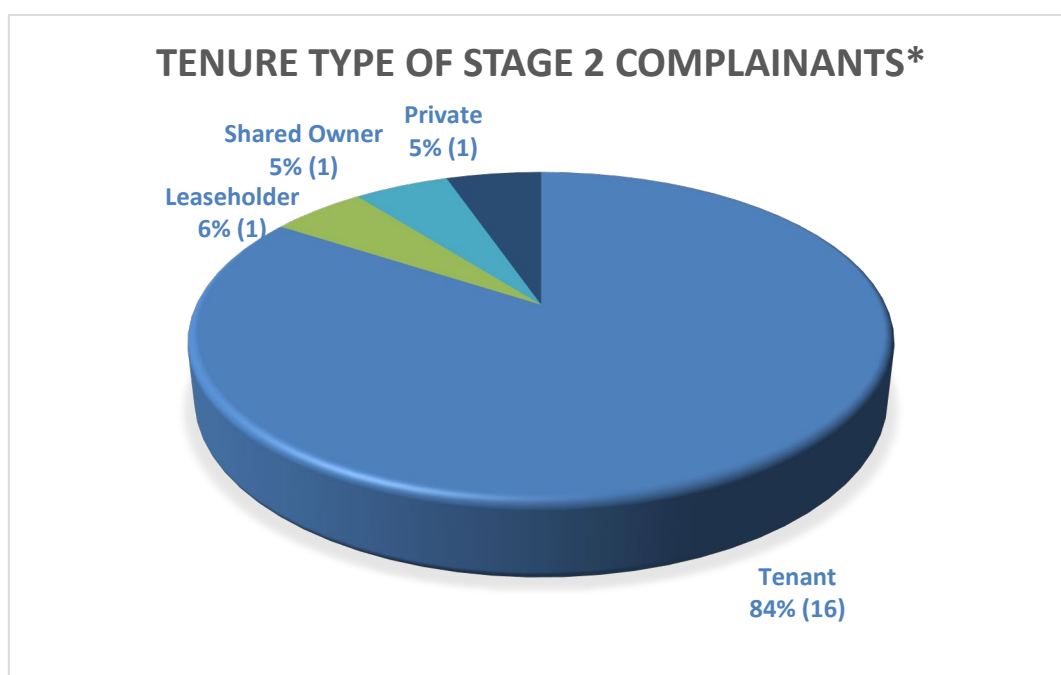
94.6% of Stage 1 complaints handled by the Council were responded to within the Housing Ombudsman's Complaint Handling Code timescales.

## Stage 2

From 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024, we handled the following number of complaints at Stage 2:

Stage 2 Complaints Handled by the Council	19
Stage 2 Complaints Handled by ODS	11
Stage 2 Complaints Total	30

The chart below shows that 84% of the complaints handled at Stage 2 within the Council came from tenants, with very few from shared owners, leaseholder or private residents.



\* This is taken from complaints handled by the Council. ODS do not have records of the tenure type of the person making the complaint.



## Stage 2 complaints by service area

Overall, 83% of Stage 2 complaints were upheld, with 17% not upheld. Of these, within ODS 82% were upheld, and within the Council 84% were upheld.

It should be noted that many of these will have already been upheld at Stage 1 but were escalated to Stage 2 for reasons such as seeking further compensation or repairs agreed not having been completed. It does not necessarily indicate that the Stage 2 conclusion disagreed with the Stage 1 decision.

	Total	Number Upheld
ODS	11	9
Property Services – Repairs & Maintenance	10	8
Tenancy Management	8	8
Home Ownership	1	0

## Stage 2 timescales

Of the Stage 2 cases handled by the Council, two were responded to using an extension to the target date. The reason for this was that we were awaiting reports from external organisations.

100% of Stage 2 complaints handled by the Council were responded to within the Housing Ombudsman's Complaint Handling Code timescales.

## Housing Ombudsman Outcomes

Whilst we received enquiries and evidence requests from the Housing Ombudsman in 2023/24, we did not receive any determinations following investigations.

We did, however, receive our first Complaint Handling Failure Order (CHFO) (see below). Whilst we are very sorry this happened, especially to the resident involved, this highlighted the need for improvements in our complaints handling and gave us the opportunity to review our service. This case ultimately went to the Housing Ombudsman for investigation, and a determination was received in the first quarter of 2024/25 so will be included in next year's report.

On 17<sup>th</sup> July 2023, the Housing Ombudsman issued a Type 1 CHFO. This was one of 51 CHFOs issues by the Ombudsman in that quarter. A Type 1 order is issued 'where an individual complaint is not being progressed through the landlord's complaints process'.

We failed to issue a response to the tenant within the stated timeframe, even after the Ombudsman reminded us of our responsibilities. Once the Ombudsman issued the CHFO, our actions were investigated by Senior Management and Directors within both Oxford City Council and our contractors, ODS. We identified where things had gone wrong, and we looked at what steps could be taken to prevent a similar issue in future. Many of the improvements we talk about later in this report were identified as part this review.

Our CHFO was included in the Housing Ombudsman Service Quarterly Report: Complaint Handling Failure Orders issued July to September 2022, which can be found here: <https://www.housing-ombudsman.org.uk/app/uploads/2022/11/CHFO-report-Q2-22-23-final.pdf>

You can search decisions published by the Housing Ombudsman on their website: <https://www.housing-ombudsman.org.uk/decisions/>

## Trends and challenges

### *National trends*

Across the Housing sector, there has been an increase in complaints received over the last few years. Traditionally within housing providers, most complaints have been regarding repairs and maintenance, and that has continued to be the case as it is the most common type of interaction that residents have with us as a landlord.

Complaints about damp and mould have continued to increase throughout the sector, as residents are increasingly aware of the risks following the tragic death of Awaab Ishak and the subsequent scrutiny of how landlords should respond to reports of damp and mould.

### *Our key themes*

We have observed the following trends and challenges regarding the complaints received in 2023/24:

- **Damp & Mould**

Complaints about the handling of damp and mould reports have increased, with 26 of the 134 Stage 1 complaints handled by the Council including damp and mould as a main issue, and 5 of the 19 cases at Stage 2.

- **Communication**

The majority of complaints received by ODS and the Council have been regarding levels of service and communication. ODS have identified that communication issues are more prevalent where there is a subcontractor involved.

Communication was also a factor in 19 of the 65 Stage 1 complaints about Tenancy Management. 10 of these were upheld, suggesting that there are improvements we can make around communication, not just in Tenancy Management but across services areas.

In a 24/7 world, there is an expectation of an almost immediate response to queries or complaints, and we will be working to help manage those expectations by acknowledging e-mails more thoroughly, setting out expected response times and keeping in touch with tenants where there may be a delay in responding in full.

- **Repair Delays**

A significant number of complaints for ODS and Property Services included concerns about the time taken to complete repairs. Reasons for this included needing to order materials, the procurement of specialist contractors/subcontractors, waiting for a surveyor visit, or delays in getting approvals for work to proceed. ODS have observed that the requirement for asbestos surveys can also be a factor in complaints regarding delays to repairs being carried out.

There were also a number of cases where the delays were caused by the resident disputing the work planned, difficulties with gaining access to the property, or because we were unable to contact the resident.

- **Complaint Handling**

Both ODS and the Council have had incidents during 2023/24 where complaints had been logged incorrectly so were not picked up.

There was also an issue where for a short time complaint forms submitted via our website with large attachments were not received by the relevant teams, even though an acknowledgement was issued to the complainant.

Both of these issues have been addressed.

The recording of complaints on our systems is still new and evolving and with that, we expect to be able to provide much more insightful information in future, with consistent, clear reporting. As improvements progress and working practices are standardised across services and the Council as a whole, we will be able to accurately provide more detailed information on areas such as the key themes and compensation awarded.

## Tenant Satisfaction Measures (TSMs)

Our 2023 Tenant Satisfaction Survey (which can be found here <https://www.oxford.gov.uk/downloads/file/3403/tenant-satisfaction-survey-results-2023>) showed that of those who said they'd made a complaint, only 33% were happy with the handling of it. This was a considerable drop from the score of 66% in the 2022 survey and is naturally not the result that we want.

Housemark have benchmarked our results against other Local Authorities. Comparing our results with theirs, our figure for satisfaction with complaints handling puts us in the third quartile. However, the top quartile result was only 35%, demonstrating that similar organisations are experiencing similar levels of dissatisfaction.

Whilst we cannot always offer the outcome a complainant is looking for, we would always want them to feel that their complaint had been taken seriously, that they had been treated with empathy, and that they received a clear, thorough and timely response.

It may be that in these cases where there was dissatisfaction, they didn't feel they got the level of service they should expect or were dissatisfied with the outcome. We plan on implementing measures to ensure we get feedback from residents following a complaint so we can understand why people are dissatisfied.

There may also be other reasons for the low level of satisfaction with complaint handling shown in the survey. We need to ensure we are recognising complaints and logging them as such, to avoid situations where a resident may think they have made a complaint, but we don't have a record of it, as may have happened in some of these cases.

It may also be that there is often confusion around what is and isn't a complaint, so a respondent may actually have been unhappy following a report of anti-social behaviour, for example. They might term this as a complaint, but it wouldn't meet our criteria to be handled within our complaints process. Regardless, we are making improvements to try to ensure a better service is provided moving forward.

## Learning & service development – what we've done in 2023/24

Whilst responding to the issues raised in a complaint is important, ensuring we learn from them is also a priority. Many people who contact us with a complaint ask for assurances that we will make improvements so something positive can come out of their experience. Learning from complaints is not just our statutory duty, it is a commitment we make to citizens that they will be heard, and their views will help shape our services.

### **Landlord Services Customer Care & Complaints Team**

In preparation for the new version of the Housing Ombudsman Complaint Handling Code that came into effect on 1<sup>st</sup> April 2024, in 2023/24 we made many changes in how we handle complaints about our landlord function.

- We have reviewed the format of our letters to ensure that:
  - We include a clear definition of the complaint, explaining our understanding of what it is about and what the complainant wants as an outcome
  - The details of the Housing Ombudsman are provided at every opportunity so that residents understand their right to seek further help and advice
  - We avoid including irrelevant information and jargon in our outcome letters.
- We have worked closely with our counterparts at ODS to ensure we have a consistent approach to handling complaints, regardless of whether it is handled directly by the Council or by ODS on our behalf. This includes ensuring ODS use formal extensions if they need more time, provide the Housing Ombudsman's contact details, and give clear instructions on how a complaint can be escalated to Stage 2.
- In order to ensure investigations are independent and coordinated within one place, a Customer Care & Complaints team was created within Landlord Services. This included the appointment of a Customer Care & Complaints Manager to oversee our compliance, review complaints at Stage 2, coordinate responses to the Housing Ombudsman, and monitor learning and improvement. There is also a Customer Care & Complaints Officer responsible for Stage 1 complaints. Our Tenant Ambassadors took part in the interviews during the recruitment process for these roles.
- We were part of a project within the wider Council for all complaints to be logged and responded to via our CRM (Customer Relationship Management) system, ensuring greater oversight and more comprehensive record keeping. This project was undertaken in 2023/24 and went live on 1<sup>st</sup> April 2024.

- Training has been carried out with our Surveyors, the Homelessness Prevention team, the Tenant Management team, the Community Response team, and the Anti-Social Behaviour Investigation team on recognising complaints, logging them, and the process.
- Weekly meetings now take place between those handling housing-related complaints, ODS' complaints handlers, and the team handling complaints for other Council services to share best practice, discuss challenges, and provide a consistent approach.
- All correspondence from the Housing Ombudsman is automatically sent to senior management, to allow for greater oversight. Arrangements have also been made for greater collaboration between the Customer Care & Complaints Manager and the Ombudsman Link Officer, to ensure responses are thorough and timely.
- Complaints are now responded to from within the Customer Care & Complaints team. This helps ensure accurate records and an independent, evidence-led investigation. Decisions on whether a complaint is upheld or not are taken within the Customer Care & Complaints team, rather than by the team involved in the complaint.

## Property Services

- A system was set up to track repairs related to complaints, with weekly meetings between the Surveyors, ODS, and the Customer Care & Complaints Team to review the progress.
- The Customer Care & Complaints team took part in a project to help design a process for effectively managing complaints relating to building safety in high rise blocks.
- Surveyors have been made aware of the importance of providing evidence as part of an investigation and have been instructed to ensure reports are written for every complaint visit with accompanying photographs.
- Following it being frequently referenced in complaints, ODS and Surveyors have been reminded of the importance of making appointments in advance.
- A specialist Damp & Mould Surveyor was appointed to handle more complex cases, and we have an independent damp and mould contractor to support us in addressing the underlying causes, where necessary.

## ODS

- ODS have implemented their text messaging system, which informs tenants of appointment dates, send on-the-day reminders, and lets them know when

the Operative is on their way. The tenant can also liaise directly with the Operative. ODS have recorded a drop in the number of complaints they have received. They feel this is likely to be down to improvements they have made to ensure issues are identified and resolved quickly.

- Regular review meetings have been held to ensure that work carried out by subcontractors is monitored and of the expected standards.
- Further instruction has been provided to Operatives to ensure they are closing down jobs correctly to ensure any follow-on work required is not missed.

## Tenancy Management

- Redirection on our CRM system is now being used so that tasks aren't missed when a staff member leaves, and their work can be easily transferred to their replacement.
- The Mutual Exchange process has been reviewed to ensure that everything is verified at the early stages, and further training has been provided to Tenancy Management Officers on this.
- We are using our CRM system to record contact with our residents and to assign actions to the appropriate person. This results in more thorough record-keeping, better communication, and makes it clear who is responsible for the next step.



## Plans for 2024/25 and beyond

As of 1<sup>st</sup> April 2024, the new version of the Housing Ombudsman's Complaint Handling Code came into effect, alongside new statutory powers for the Ombudsman. In conjunction with new regulatory standards, the focus is on ensuring complaints are handled appropriately and that the customer's voice is heard and is stronger than ever. The expectations for us as a landlord are high, and we will do everything we can to meet those, not just in terms of our handling of complaints but how this results in improvements to our services.

We expect the volume of complaints to continue to increase as residents become increasingly aware of their rights, and as we continue to create an environment where complaints are recognised, recorded and welcomed as an opportunity to put things right.

Many organisations find that as confidence in their ability to competently handle complaints increases, so does the volume they receive, without there having been any change in the level of service. Therefore, we don't see this increase as a negative thing, but an opportunity to better understand the expectations of our residents and as evidence we are facilitating that communication.

We don't want to see anyone dissatisfied with our services, but we appreciate it when residents get in touch and give us the chance to put things right or explain why we are unable to offer what they are looking for.

The increase in complaints numbers, more stringent regulation, and strict timescales does present challenges we will need to face. We will need to make sure we are well-resourced, both in terms of staff and systems, to meet these challenges.

Our plans for 2024/25:

- Our wider review of our Tenant Involvement Strategy will include looking at ways of involving residents more in our complaints process so that we are providing a service that meets not just the requirements of the Housing Ombudsman, but of the people it is intended to help.
- We will further develop how we use our IT systems to monitor complaints, the outcomes, and report on complaints. This includes ensuring senior management have visibility of the data so they can identify areas of focus for improvement. It will also ensure greater accountability.
- We intend to work with other teams to have specific contacts for complaints investigations and train those people to become experts within their teams on complaints.

- We are looking at what measures we can implement to gain better insight into the themes of complaints so we can identify trends and emerging issues more quickly and efficiently and ensure the complaints data is used and reflected in strategic work e.g. our Asset Management Strategy.
- We have plans for developing a compensation policy for complaints, in conjunction with our residents.
- We are exploring how we can best seek feedback from residents following their complaint so we can measure their satisfaction with both the process and the outcome and use their comments to make improvements.

## Closing remarks from the Customer Care & Complaints Manager

Since joining Oxford City Council at the end of February 2024, I have had the opportunity to be part of the many changes that have already taken place. It has been a time of significant change within the housing sector as everyone has had to adapt and review their approaches in order to meet the new regulatory requirements following the implementation Social Housing (Regulation) Act 2023.

Both the new Consumer Standards and the Housing Ombudsman's Code have set out expectations on how we deliver our services which we welcome. Challenging as this has been, with many colleagues having worked hard to prepare for these changes prior to my role starting, it has been an exciting time to join the Council and be part of shaping our plans on how we will meet these requirements and best serve our residents.

Already in 2024/25, we have had several determinations from the Housing Ombudsman. These are an excellent opportunity to get clarity on what is expected from us and get an independent assessment of our services and decision-making. I look forward to sharing the insights from these determinations and the improvements we have made following them in next year's report.

Whilst I would never want anyone to have cause to complain, I appreciate the feedback from all of the residents who have taken the time to contact us and given us the opportunity to try to put things right where there has been a service failure, or explain our decision where there hasn't. We can't always offer people the outcome they want, and we won't always get things right, but we can keep striving to offer the best service we possibly can. We will ensure we keep listening and learning from what our residents are telling us.

Having received positive feedback from the Housing Ombudsman on our actions following a recent determination (post-March 2024, so not included in this report), we want to continue to make improvements so that our Customer Care & Complaints team within Landlord Services provides an excellent service to our residents, complies with all regulatory requirements, collaborates effectively with other teams and partners, and can be held up as an example of best practice within the sector. This will require considerable effort and will take time, but I hope that in next year's Annual Complaint Performance & Service Improvement Report we will be able to demonstrate the progress we have made.

Kat Mayes  
Customer Care & Complaints Manager

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