



Tenant Voice Scrutiny Panel **Report**

**Housing Ombudsman Complaints
Handling Code Compliance
May 2021**

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1: About the Report

In July 2020 the Housing Ombudsman produced a code that ensures housing organisations deal with complaints fairly and effectively.

The key areas of the code included;

- Universal definition of a complaint
- Providing easy access to the complaints procedure and ensuring residents are aware of it, including their right to access the Housing Ombudsman Service
- The structure of the complaint's procedure - only two stages necessary and clear timeframes set out for responses
- Ensuring fairness in complaint handling with a resident-focused process
- Taking action to put things right and appropriate remedies
- Creating a positive complaint handling culture through continuous learning and improvement
- Demonstrating learning in Annual Reports.

In addition, the Housing Ombudsman developed a Complaint Handling Code and a self assessment document that all landlords had to complete and publish by 31 December 2020. Through completion of the self-assessment, if landlords found that they didn't comply in some areas/points they should put measures in place to make sure complaint handling is in line with the code in the future, which you [can now download here](#).

Non-compliance could result in the Ombudsman issuing complaint handling failure orders, so it was imperative that Berneslai Homes got it right.

You can find out more about how the code was developed in section 2

We were asked by Berneslai Homes to test compliance against the code, by following a series of Stage one and Stage two complaints.

We formed a task and finish group of 4 members of the Scrutiny Panel and selected a series of anonymised complaints, assessing them against the Complaints Handling Self-Assessment document as set out by Berneslai Homes.

Unfortunately, 1 member could not complete the exercise, due to ill health, so the group progressed with 3 members.

You can find a copy of the Code published on the Berneslai Homes website below;

Housing Ombudsman Complaint Handling Code Self-Assessment December 2020



Housing
Ombudsman Service

The Housing Ombudsman published a new Complaint Handling Code in July 2020. It sets out good practice that will allow landlords to respond to complaints effectively and fairly.

The purpose of the Housing Ombudsman's Complaint Handling Code is to enable landlords such as Berneslai Homes, to resolve complaints raised by their residents quickly and to use the learning from complaints to drive service improvements.

The Housing Ombudsman have asked all landlords to complete a self-assessment against the code by 31st December 2020, to publish the results and take appropriate steps to make sure complaint handling is in line with the code.

To the right, are the six key areas that make up the code...



ACTIONS AND IMPROVEMENTS



Changing Stage 2 target response time from 15 to 20 working days.



Change our complaint handling survey to increase response rates and provide enhanced insight.



New reporting framework



We will revise our Complaint Handling publicity plan to enhance transparency.

2: How tenants were involved in the self-assessment against the complaint handling code

Berneslai Homes involved a number of Stakeholders in the development of the Code including;

- Tenant Voice Panel Members
- Customer Services Board members
- Board Members

The Customer services team completed an initial assessment, gathered evidence to support compliance and identified areas for improvement.

The Tenant Voice Panel, Customer Service Committee, Board members and Executive Management Team for the directorate, attended meetings with Customer Services to discuss their finding of the initial self-assessment and seek approval of the minor changes to Your Comments Counts policy.

A final self-assessment was carried out, and this was shared with the Board and Executive Management Team who approved the self-assessment findings before it was published on the website. It also featured in the tenants e-bulletin and internal staff communications.

For further reassurances and to test compliance we asked the scrutiny panel to test compliance against the code.

3:Scrutiny Time line

The timeline is detailed below;

Date	Action	Outcome
24/02/21	Scrutiny Panel sent 18 Stage 1 complaints to select from – identified by a number	3 members selected 3 stage 1 Complaints each
2 March	Cases sent to Scrutiny members and anonymised	Panel began work on assessing against the code
4 March	Induction to task	Panel received compliance spreadsheet and their cases
25 March	Check in to discuss results of Stage 1 Stage 2 cases issues	Stage 2 issued (only 3 given to select from) 1 member had not completed Stage 1, hence extra time given
21 April	Check in to discuss results of Stage 2	Extra time allocated to 1 member due to not completing the Stage 1 spreadsheet
29 April	Report commenced	

4: Scope and findings from the complaint’s assessment

As a Panel, we were extremely clear that we wanted to select our own complaints, rather than have them given to us by Berneslai Homes, ensuring complete transparency.

We were offered a series of complaints, identified by a number and then selected 3 Stage 1 complaints each, and 2 Stage 2 complaints collectively, totalling 11 complaints.

Berneslai Homes supplied a spreadsheet, outlining the key check points within the Code, and we asked the panel to measure each case against them, providing an assessment of compliance. You can see the detail from each case in **appendix 1**.

5: Feedback from the testing

We met on 4 occasions, to discuss how we felt the complaints measured up against the Code, and to discuss any commonalities in the responses.

We found the testing to be a little complex in some areas, as we did not have access to Northgate to check some of the detail, but Berneslai Homes helped with that by completing the actions on the spreadsheet.

We did have full access to the correspondence behind the complaints, so were able to complete the rest of the table.

Although not in the scope of the review, we did uncover some areas for improvement. You can find our recommendations in section 7

6 Summary of findings

Below details the complaint and reference number that is contained within the compliance spreadsheet.

Case number	Complaint
Complaint 857756	Customer states that the doors on her cupboards keep falling off. An inspection was raised, and an inspector visited the property and advised that they would raise a job for new hinges to be installed. Customer would like the cupboards replacing to be reconsidered, as the doors falling off has been an ongoing issue.
Complaint 857936	Complaint is about the standard of work carried out to the home on the recent Barnsley Homes Standard Scheme. A number of issues raised by the customer.
Complaint 858593	Complaint regarding the ongoing repair to radiator/damp and mould works previously carried out don't appear to be working.
Complaint 848968 (Stg 2)	Poor communication when the repair operative went home ill. Issues with the text message service. Allegations of bad attitude and behaviour of the repair operative who initially attended the job. Delays in carrying out the repair. Wates dealt with Stg 1 and customer not happy with response/resolution.
Complaint 842642	Complaint about lack of heating and hot water, the delay in resolving the issues and identifying the fault and not being offered heaters.

Complaint 844165	Complaint regarding the information provided by the repairs hotline regarding hot water tap repair
Complaint 846221	Complaint about delays to plastering work.
Complaint 838362 (Stg 2)	Escalated from stage 1 as not happy with the outcome. Wants to have section of communal area fenced off for exclusive use but been refused. Also, not happy that various enquiries made about communal area have not been answered.
Complaint 846971	Complaint regarding the refusal to replace fencing to the left of the property and also the delays from the housing team in responding to the initial request.
Complaint 847476	Complaint regarding a leaking toilet that was not passed to standby.
Complaint 849262	Complaint about the delays in replacing kitchen – customer waited for nearly a year.

The compliance spreadsheet is attached as appendix 1

7 Conclusion and Recommendations for improvement

We concluded that after testing 11 complaints against the code that 10 fully met the code.

The reason that one did not meet the code was due to the fact that the response was over the 10-day target due to the Christmas break and a holding letter was not sent. This was acknowledged and apologised for in the response letter.

Overall we remain satisfied that Berneslai Homes are compliant with the Housing Ombudsman’s Complaints code.

Although, out of the scope of the review, we did highlight some areas where we feel, from a customer’s point of view, that improvements could be made.

The table below details our suggestions for improvement;

Observation	Recommendation for improvement	Berneslai Homes response
Stage 1 letters are inconsistent, with some responses more detailed than others	Officers should demonstrate a consistent approach to Stage 1 responses, with the same quality of response for each case. In order to gain a consistent approach, we suggest that a template is developed that should be followed by each officer to ensure consistency, having a similar level of detail to stage 2.	Stage 1 complaints are investigated and responded to by the relevant service area manager, meaning this can lead to inconsistencies in quality and the standard of the response. To help improve this Customer Services team have developed a template for the investigating manager to use. This includes all stages of the response and is in line with the template

		<p>available on the Housing Ombudsman website. We have also provided an example response letter to give managers an understanding of the standard expected. eLearning training is also available for all staff to give them a basic overview of complaint handling and a half day training session which covers more in depth, aimed at investigating managers. Dates available June – Sept 2021.</p>
<p>Stage 1 letters do not always contain the date that the complaint was made, making it difficult for the customer to follow the timeline.</p>	<p>The date the complaint was made should be included in all Stage 1 responses and be included as part of the new template.</p>	<p>This is already included in the template response letter that we have. Will reinforce the importance of following the template.</p>
<p>From the information given in the Stage 1 letters, it is not clear if a resolution has been agreed upon, often it details the next course of action.</p>	<p>Have a clear and concise course of action that the complainant can understand and track, should the course of action be unsuccessful</p>	<p>We will reinforce the importance of following the response template that we already have in place, as this will ensure that the resolution and next steps are clear. We have also planned some in-depth training for complaint investigation managers should attend. This will cover the importance of thorough investigation, remedies and quality response letters. This is scheduled June, July and September 2021.</p>
<p>Internal communication may benefit from improvement, as in once case the complaint was due to a delay in the repair as the wrong part had</p>	<p>Ensure that, “right first time”, is strived for, by opening up the lines of communication between departments and operatives.</p>	<p>Agree that on occasions internal communication could be improved. All staff do strive to get things right first time but this is something that we will remind all staff of.</p>

<p>been ordered. (5 Sept – 4 Nov for resolution)</p>		
<p>Communication with the customer in some instances would benefit from improving, which may cut down on complaints</p>	<p>Ensure that the customer is kept in the loop regarding their complaint or repair. We suggest a simple check list is developed for staff that are dealing with repairs/complaints have a proforma to follow about when the customer needs contacting. i.e. if anything changes, xx time has elapsed</p>	<p>Agree that poor communication can lead to complaints and this is something that we aim to always improve on. The new repairs system will also help improve communication. Customer Services follow a set procedure when handling complaints which includes communicating with customers, sending acknowledgement and holding letters etc to keep them informed of the process. When a complaint is registered the customer also received a short summary/overview of the process. Therefore, feel a check list isn't required for complaints due to the robust process already in place.</p>
<p>Stage one responses do not have a conclusion</p>	<p>The Stage one letters detail the next course of action but do not supply a conclusion to the complaint, although it is acknowledged that this may not be possible in all instances. Are the complaints followed up after the stage one letter is sent out? Or is a note put on the file. This may help track repeat complaints, about the same issue.</p>	<p>We will reinforce the importance of following the response template that we already have in place. Follow up after stage 1 complaints - the customer will receive a survey, asking for feedback regarding aspects of complaint handling. We also link into the services are for service improvements. It is service areas responsibility to ensure any resolutions offered in the response letter are carried out and completed within the timeline stated, e.g repairs ordered etc.</p>