



Complaints Update

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Lead Member/Relevant Portfolio Holder	Councillor Margaret Glancy - Portfolio Holder for Governance, Environment and Regulatory Services (Deputy Leader)

Corporate Priority:	High quality homes and landlord services Ensuring the right conditions to support delivery Connected and led by our communities
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	N/A
Exempt Information:	No

1 Summary

- 1.1 As part of its remit, the scrutiny committee has the opportunity to scrutinise a range of services and functions and as part of a recent review of the committee workplan, a review of the complaints policy and its implementation was proposed.
- 1.2 This report gives an overview of the complaints and feedback received by the Council along with the policy which guides how the Council responds to complaints.
- 1.3 The report also sets out future improvements to systems and processes that will further enhance how the Council responds to complaints and feedback from residents, tracks the implementation of associated actions and strengthens capacity for insight and analysis.
- 1.4 This report also covers activity, performance, and trends between 1st April 2023 up to the end of December 2023.

2 Recommendation

That Scrutiny Committee:

2.1 Considers the report and provide comments for consideration by Cabinet.

3 Reason for Recommendations

3.1 To enable the Scrutiny Committee to scrutinise matters relating to complaints and customer feedback and provide feedback for consideration by Cabinet.

4 Background

4.1 Customer Feedback and Complaints Policy

4.2 The Council has a Customer Feedback and Complaints Policy which supports a clear and effective way in which to respond to customer dissatisfaction and to resolve issues when they occur. The policy was reviewed in 2023 and will be refreshed again in 2024. The current version is published to the Council's website. It can be found here: [Customer Feedback and Complaints Policy](#).

4.2.1 The Council recognises that complaints are a valuable opportunity to gain feedback, learn and improve services, and encourages feedback so that positive action can be taken.

4.2.2 The Council aims to properly investigate issues raised, enabling a positive response to complaints. We encourage complaints from our tenants and residents and view them as opportunities to learn and to improve the quality of our services.

4.3 The Council's Customer Feedback and Complaints Policy covers the following key areas:

- Introduction, aims and objectives
- How to make a complaint
- How the Council deals with complaints and service requests including
 - Complaint investigation stages, timescales and escalations
 - Complaints involving external contractors or partner agencies
 - Resolving complaints including remedies and compensation
- Ombudsmen
- Dealing with unreasonably persistent complaints

4.4 The policy is applicable to all council services and as such is compliant with the requirements of the respective Ombudsman services which act as an escalation point for independent review of complaints in some circumstances.

4.5 The relevant Ombudsman services are the Housing Ombudsman (HO) and the Local Government and Social Care Ombudsman (LGSCO).

4.6 The HO has jurisdiction over complaints about social housing, including the Councils' role as a landlord. Whereas the LGSCO covers all other services including complaints about most council housing services other than social housing.

4.7 The Council's Customer Feedback and Complaints Policy was overhauled in 2023 in response to specific changes required by the HO. The Council took the decision to retain a

single corporate policy and took action to ensure that requirements of the HO's Complaints Handling Code were embedded.

- 4.7.1 Local Authority Landlords must ensure that their approach, policies, and processes are compliant with the HO Complaints Handling Code to ensure their complaint handling remains in line with its requirements.
- 4.7.2 There is also a requirement to publish an annual review of complaints handling (Housing Complaints) via a self-assessment. The most recent self-assessment was completed in December 2023 and can be found [here](#).
- 4.7.3 The HO Complaints Handling Code acts as a guide for residents setting out what they can and should expect from their landlord when they complain. The Code also requires the Council to provide residents with information about how to make a complaint and how to progress it through the landlord's internal complaints procedure.

5 Main Considerations

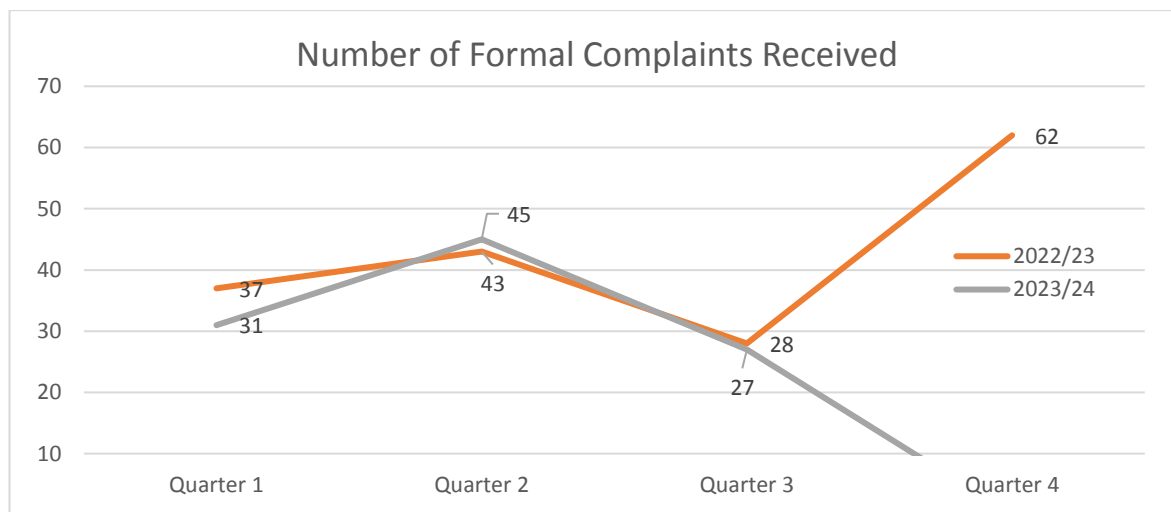
5.1 This report provides an update on key areas shown below:

- Performance and Trends emerging in 2023/2024
- Changes to the external governance/regulatory requirements
- 'Make it Right' campaign for social housing tenants
- Looking to the future - system/process changes planned

5.2 Performance/Trends emerging in 2023/2024

5.3 Overall Complaints

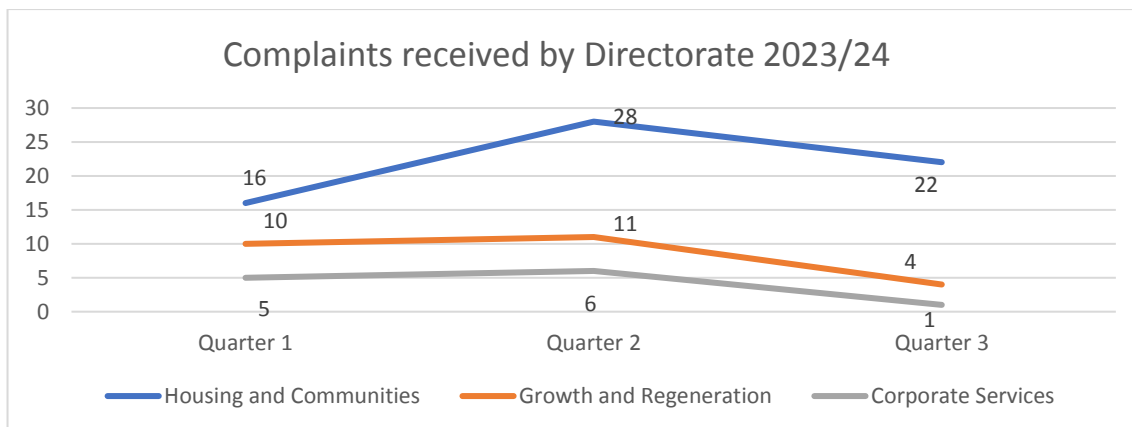
So far in 2023/24, the Council has received 103 formal complaints from customers. The number of formal complaints received so far this year is five lower than the 108 received during the same period last year.



5.4 Complaints by Directorate

Of the 103 formal complaints received from customers this year, the vast majority relate to the Housing and Communities directorate and of those, relate predominantly to the Council's housing / landlord function. This is not unexpected and is important that council tenants are aware of how to raise a complaint and that they are empowered to do so.

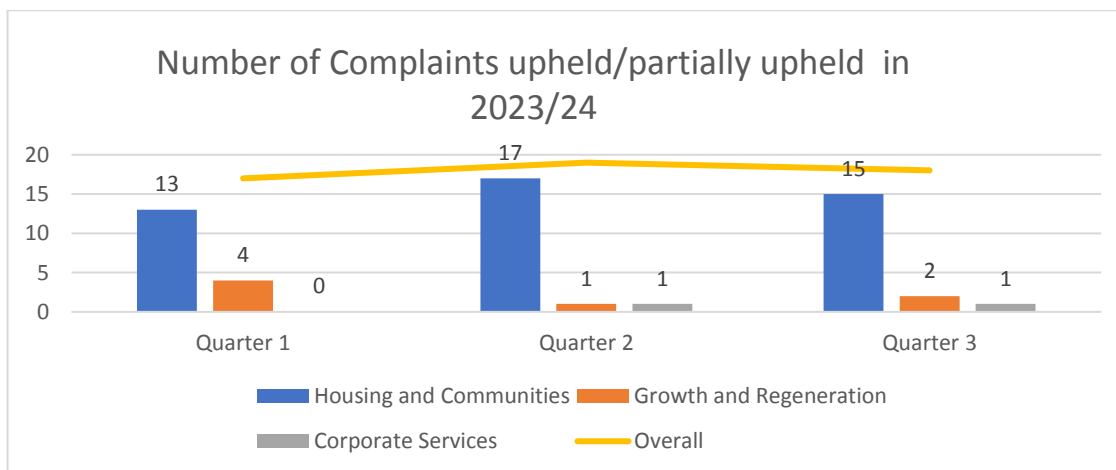
- 5.5 Analysis of complaints trends and learning takes place across directorates and as part of the performance reporting framework.
- 5.6 There has been a reduction in the number of formal complaints made in quarter 3 made in all Directorates compared to the previous quarter.
- 5.7 The Council has clear timelines for investigation and response that are aligned to the HO/LGSCO Complaints Code, extensions are by exception and agreed with the complainant. Performance on response is generally in line with these requirements and is tracked corporately.



5.8 Complaints upheld or partially upheld

Of the 103 formal complaints received so far from customers in 23/24, 54 (52%) received have been partially or fully upheld by the Council. This is a much higher than the 11% upheld in the previous year.

The two service areas where these complaints were upheld were Repairs (12) and Tenancy Management (2), both within the Housing and Communities directorate. These are shown below.

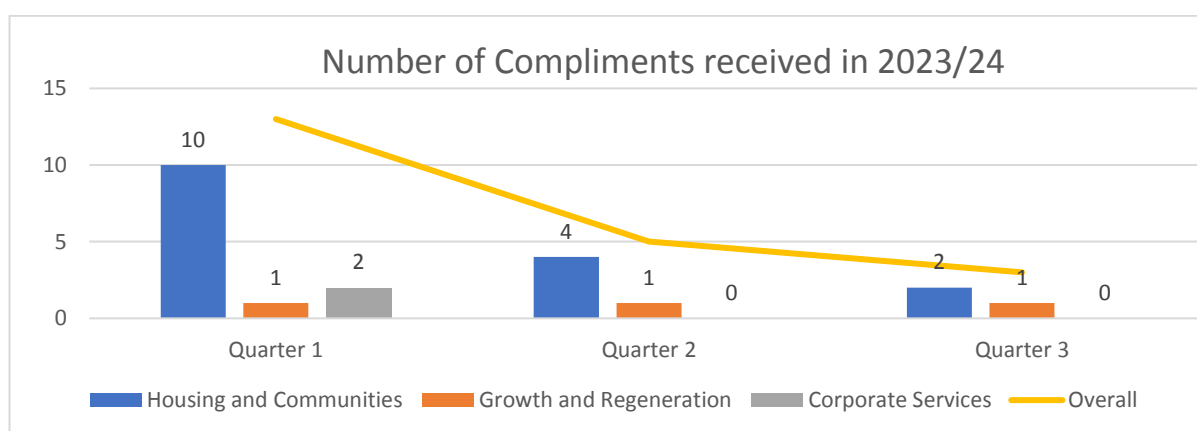


5.9 Further analysis of complaints upheld in 2023/24 has been undertaken. This has identified the following trends which are now being looked at by the relevant teams.

5.10 **Improve Communication:** Many of the upheld complaints cite lack of communication as a reason for dissatisfaction. Implementing better communication protocols between staff and residents/customers as well as contractors can help manage expectations and keep both parties informed throughout the process. This may include regular updates on repair

statuses, clear explanations of procedures, and providing avenues for clients to easily reach out with concerns or inquiries.

- 5.11 **Enhanced Contractor Management:** Several complaints mention delays due to issues with contractors, such as cancellations or lack of commitment. Strengthening contractor management processes, including rigorous vetting of contractors, ensuring they have necessary parts before appointments, and holding them accountable for delays, can help mitigate these issues. It is important to note that where complaints relate to housing contractors, the council as landlord is still expected to investigate and put things right. To do so, the Council works closely with its contractors to ensure appropriate investigate, remedy, resolution and learning.
- 5.12 **Streamline Repair Processes:** Complaints about delays in repairs highlight potential inefficiencies in repair processes. Conducting a thorough review of repair workflows, identifying bottlenecks, and implementing measures to streamline processes can help expedite repairs and reduce client dissatisfaction. We will look at the repairs customer journey with the team as part of the ongoing corporate customer journey review.
- 5.13 **Training and Development:** Addressing issues related to lack of responsiveness and communication may require additional training for staff. Providing training sessions on effective communication strategies, customer service skills, and conflict resolution techniques can empower staff to better address client concerns and minimise complaints.
- 5.14 **Regular Monitoring and Feedback:** Establishing regular monitoring mechanisms to track repair progress and client satisfaction can help identify issues early on and proactively address them. Additionally, seeking feedback from clients about their experiences with repairs and communication can provide valuable insights for continuous improvements.
- 5.15 **Exceptional service provided by employees (Compliments)**
- 5.16 The Council also records positive feedback about the work undertaken by employees. 13 compliments were received in Q1, 5 in quarter 2 and 3 in quarter 3. These have been broken down by Directorate and are shown below. It is noted that not all positive feedback is sent directly to the colleagues who maintain the customer feedback log, and it is often necessary to remind teams to forward any positive feedback or recognition from customers that they have received directly.



5.17 Remedies

- 5.18 The Council can offer a range of remedies in the resolution of complaint. The Council is clear that it aims to use the complaints process as a learning experience and, where appropriate, will put things right.
- 5.19 When the Council is at fault, we need to put things right by acknowledging our mistakes and apologising for them, explaining why things went wrong and what the Council will do to prevent the same mistake happening again. This should happen at the earliest possible point in the process.
- 5.20 So far as possible, the aim is to put the customer back in the position they would have been if there had been no fault. Sometimes it is not possible to do this, and, in such cases, compensation may be appropriate. In other cases, a remedy could include:
- Apology or explanation
 - Remedial actions such as changes or service improvements
 - Where appropriate, financial compensation
- 5.21 Compensation paid out as part of the complaints process: As part of the complaints process and in line with our Customer Complaints and Feedback Policy and the guidance set out by the HO, we may at times pay out an amount in compensation as part of a resolution of a complaint.
- 5.22 A specific Compensation and Reimbursement Policy for Housing is currently in development, further to engagement with tenant representatives.
- 5.23 Shown below is a summary of the compensation paid out so far this year as part of these remedies in complaints resolution. This has reduced in quarter 3 from the previous quarters.

Service Area	Amount (£)
Quarter 1	
Housing Repairs	650
Quarter 2	
Housing Repairs	812
Housing Management	300
Quarter 3	
Housing Repairs	300
Housing Management	100
Quarter 4	

- 5.24 **Changes to external governance/regulatory requirements**
- 5.25 Alongside our own analysis as to how we need to develop our policy, process and systems around complaints and feedback we also need to have due regard for the changes coming from the HO and LGSCO.
- 5.26 Landlords must carry out an annual assessment against the HO Complaints Handling Code to ensure their complaint handling remains in line with its requirements and publish the results. These do not need to be submitted to the Ombudsman. Non-compliance could result in the Ombudsman issuing complaint handling failure orders.
- 5.27 Key areas of the Complaints Handling Code include:
- 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 HO Service.
- The structure of the complaint's procedure - only 2 stages necessary and clear times 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.
- Annual self-assessment against the Code.

- 5.28 The Code was introduced as part of the Ombudsman's new powers in the revised HO Scheme. The Code acts as a guide for residents setting out what they can and should expect from their landlord when they complain. The requirements in the Code also provide residents with information about how to make a complaint and how to progress it through the landlord's internal complaints procedure.
- 5.29 Our Customer Feedback and Complaints Policy covers our complaints under both the HO and LGSCO. The HO covers all complaints about social housing, including councils' role as social landlords whereas the LGSCO covers all other services including complaints about most council housing services other than social housing.
- 5.30 Over the last 12 months the Council has updated its Customer Feedback and Complaints Policy and associated processes to ensure that we remain fully compliant with the HO's Complaint Handling Code. It has been reviewed by the HO in the last 12 months.
- 5.31 To simplify and align the complaints framework for local authorities the LGSCO have recently consulted on the Complaint Handling Code with the HO, which took place in late 2023.
- 5.32 Although originally consulted on as a joint code with the LGSCO, the two Ombudsmen have now decided to issue separate Codes following analysis of consultation feedback.
- 5.33 Each Code is based on a unified set of principles and share many of the same approaches in key areas such as response times, timeliness and oversight. But by issuing separate Codes they are able to recognise the differences between the roles and powers in relation to the different approaches individual council services may need to take when responding to complaints.
- 5.34 Key points of difference of the new code published relate to:
- That processes must have two stages only (including any 3rd party arrangements)
 - Timescales and requirements for acknowledging complaints at each stage
 - Timescales for responding to complaints at each stage (including extensions)
 - Exclusions to raising and/or escalating complaints
 - Resourcing arrangements, including the Member Responsible for Complaints
 - The requirement to produce and publish an annual complaints performance and service improvement report
- 5.35 The HO Complaint Handling Code will become **statutory** from 1 April 2024, meaning that landlords will be obliged by law to follow its requirements. The Code aims to achieve best practice in complaint handling and ultimately to provide a better service to residents. Key areas of the Code have not changed.

- 5.36 There is a legal duty placed on the HO to monitor compliance with the Code, regardless of whether it receives individual complaints from residents about a landlord. For the first time, this means landlords will need to submit their self-assessment annually to the Ombudsman at the same time as their Tenant Satisfaction Measures (TSMs). As a landlord, Melton Borough Council must submit this by 30th June 2024.
- 5.37 The new duty to monitor means that the HO is required to ensure that all landlords meet the standards set out in the Code for complaint handling, regardless of their size and operating model.
- 5.38 The duty allows the HO to assess landlords even where no complaints have been referred to us for investigation. Where the HO identifies any concerns with a landlord's compliance with the Code, they will engage with them to bring them back into compliance promptly. If there is evidence of ongoing failures in compliance, they will consider using our wider powers including Complaint Handling Failure Orders.
- 5.39 The LGSCO new Complaints Handling Code was launched in February 2024 following the consultation. They have issued the Code as "advice and guidance" for all local councils in England under section 23(12A) of the Local Government Act 1974. This means that councils should consider the Code when developing complaint handling policies and procedures and when responding to complaints. If a council decides not to follow the Code, the LGSCO would expect it to have a good reason for this.
- 5.40 Organisations should have a single policy for dealing with complaints covered by the Code. The principles, process and timescales in this Code are aligned with the Complaint Handling Code issued by the HO. This means that organisations who fall under the jurisdiction of both Ombudsmen should be able to provide a co-ordinated complaint handling process across services covered by both Codes.
- 5.40.1 A review has been undertaken on our existing Customer Feedback and Complaints Policy and this remains compliant with the HO/LGSCO Complaint Handling Codes. There will be some minor amendments to the wording to ensure that this is the case. The updated policy will then be published on the Council's website and details of any changes made recorded.
- 5.41 **Make Things Right Campaign**
- 5.42 In December 2023, the Department for Levelling Up, Housing and Communities (DLUHC) launched the [Make Things Right Campaign](#).
- 5.43 This is to ensure those living in social housing who have issues with their home know their rights, know how to complain, and feel empowered in the knowledge that their voice will be heard.
- 5.43.1 The campaign sets out 3 steps for tenants to get issues sorted:
1. Report it to your landlord
 2. Complain to your landlord
 3. Escalate to the HO
- 5.43.2 The Council is committed to ensuring tenants know how to complain and are empowered to do so. The Council aims to make it easy for tenants to raise issues through this process.

5.43.3 If tenants are not happy with our final response to a complaint, or, the way in which a complaint has been handled, it can be escalated to the HO. They are free to use, impartial and will investigate fairly.

5.44 **Housing Disrepair**

5.45 The Council is also keen to ensure that tenants direct any concerns about repairs to their homes directly to the Council, and to avoid the use of 'no win, no fee' type companies who are known to target social housing tenants. The companies often tell tenants they will help them to claim compensation for any repairs that they find. However, many of the companies are trying to make money from landlords, and often customers do not get any money. There has been a significant increase in disrepair claims received by the council which suggests that Melton has been targeted in this way.

5.46 The Council is clear that if tenants have repairs in their home that need doing, the council will seek to fix the problem as soon as possible.

5.47 **Looking to the future - system/process changes planned**

5.48 There are a number of actions planned including:

5.48.1 **Implementing a new Complaint Management System and data oversight arrangements:**

A crucial step is the implementation of a new complaint management system that not only streamlines the complaint-handling process but also supports robust and effective data management. Following approval in the 24/25 budget, this system will be procured in 2024/25 and will also address Freedom of Information, system access and member requests to enhance transparency and compliance. It will mean that the Council no longer relies on an excel document and file-based recording system.

5.48.2 **Advancing complaint categories (Improving data quality, relevance and alignment with Council priorities):**

As part of the new Complaints Management System, the Council will review the categorisation of complaints to ensure they reflect the range of complaints received and to improve data insight and learning. Some complaints may also be more intricate, and this initiative aligns with ongoing improvements and modernisation.

5.48.3 **Enhancing learning capture processes:**

A comprehensive review of how the organisation captures learning from actions following complaints is vital for sustained improvements. This involves tracking the actions taken and their impact on enhancing services across the Council. To facilitate quick changes in the short term, addressing specific findings mentioned in the report is imperative. This may involve targeted interventions and adjustments based on immediate needs for particular services. An annual report on complaints trends and analysis is already underway for the Housing and Communities directorate to support continuous improvement.

5.48.4 **Learning from issue related complaints**

We need to take learning from where particular issues in services cause a rise in the number of complaints. Where this is the case, we need to look at the root cause of this and tackle the issue rather than the symptoms. For example, there were a number of complaints in housing repairs around damp and mould, ensuring effective treatment of damp and mould

in housing is crucial and if we do not get this right this may impact on the number of complaints and ultimately on tenant experience.

5.48.5 **Regular monitoring and reporting:**

We are establishing a regular monitoring and reporting mechanism for complaints through quarterly reporting to Cabinet, ensuring that trends and patterns are identified promptly. Alongside this we will incorporate data-driven insights into our decision-making processes, enabling the organisation to adapt and improve services based on evolving needs. The Council is also introducing a Landlord Assurance Board which will receive updates on complaints as part of its remit.

6 Options Considered

6.1 Not applicable. This report responds to a request from the Scrutiny committee.

7 Consultation

7.1 Feedback from the Scrutiny Committee is welcome. There has been no formal consultation in developing this update report.

8 Next Steps – Implementation and Communication

8.1 Feedback from the committee will be considered as part of the continuous development of how the Council responds to customer complaints and feedback.

9 Financial Implications

9.1 There are no financial implications arising directly from this report but there are potential financial implications in terms of any compensation paid as part of the resolution of any complaints.

Financial Implications reviewed by: Assistant Director for Resources

10 Legal and Governance Implications

10.1 The Council must ensure it complies with both the HO Complaints Handling Code and the LGSCO Complaints Handling Code since these are “advice and guidance” for all local authorities in England published under section 23(12A) of the Local Government Act 1974.

10.2 Neither the HO or LGSCO may investigate a complaint about a local authority’s exercise of its administrative functions, alleged failure in providing a service or alleged failure to provide a service unless the authority concerned is aware of the allegation and has been given a reasonable opportunity to investigate and respond to that complaint.

In addition to meeting the requirements referred to in paragraph 10.1 above, the Council’s Complaints Procedure establishes a robust framework to ensure that such complaints are properly investigated and that an appropriate response is provided. By following that process the Council can investigate, address any failure with the customer concerned and avoid matters escalating to formal investigation by either Ombudsman. In turn this reduces the risk of formal reports being issued by the Ombudsman in relation to the Council’s functions.

10.3 As indicated in the body of the report, an important outcome from the steps proposed (particularly the Complaints Handling System) is to provide detailed information regarding complaints and allow the Council to identify and address the matters giving rise to those

complaints. This is crucial in ensuring that the Council meets the required standards of administration, complies with the law, and avoids injustice to its customers.

Legal Implications reviewed by: the Monitoring Officer.

11 Equality and Safeguarding Implications

- 11.1 Equality and safeguarding considerations are a key component of any response to community safety.
- 11.2 An Equalities Impact Assessment was carried out for the associated Customer Feedback and Complaints Policy and can be found on the council's website [Equality Impact Assessment](#).
- 11.3 A further impact assessment will be undertaken when the policy is reviewed in 2025.

12 Data Protection Implications (Mandatory)

- 12.1 Data Protection is addressed in the Customer Feedback and Complaints Policy. All complaints will be handed in accordance with the requirements of the General Data Protection Regulation and the Data Protection Act 2018. The handling and storage of personal data will be handled and stored in accordance with the Council's Data Protection Policy.

13 Community Safety Implications

- 13.1 None identified.

14 Environmental and Climate Change Implications

- 14.1 None identified.

15 Other Implications (where significant)

- 15.1 No other implications

16 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	Failure to comply with the Complaints Handling Code	Very Low	Critical	9
2	Failure to follow the processes set out in our Customer Feedback and Complaints Policy	Very Low	Critical	9

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant				
	3 Low			1,2	
	2 Very Low				
	1 Almost impossible				

Risk No	Mitigation
1	The requirements set out in the Complaints Handling Code has been included in our Customer Feedback and Complaints Policy. This will be a key part of any future reviews of this Policy.
2	Training and support have been provided for all employees involved in complaints on the key stages and processes set out in the Customer Feedback and Complaints Policy. The Council also publicises the approach and policy on complaints and regular information is shared on the intranet and messenger with officers.

17 Background Papers

17.1 [Customer Feedback and Complaints Policy](#)

18 Appendices

18.1 None