

Complaints and Compensation Analysis (Housing, Angela Horsey)

Synopsis of report:

This report provides an analysis of complaints made about Housing services in 2022/23 and of compensation awarded as a result of service failures.

Recommendations:

- (1) That Members note the information on complaints and compensation.
- (2) That Members approve an increase to the compensation payable to service users.

1. Context and background of report

- 1.1 This Committee receives updates on complaints made about housing services as part of regular performance reports. Additional analysis is presented to Members twice a year.
- 1.2 A new Compensation Policy was approved by this Committee at its meeting on 21 September 2022. Arrangements were to be made to monitor compensation payments and for an annual report to be presented to this committee. Members also asked for the compensation amounts to be reviewed if the Consumer Prices Index (CPI) increased over 5%.

2. Complaints and Compensation

- 2.1 All complaints about housing services are logged and monitored in line with the Housing Complaints policy approved by this Committee in January 2021.
- 2.2 There was an increase in the number of complaints received between April and November 2022 (29) and the same period last year (19). The increase mainly comprised complaints from tenants, rather than other customers. As required by the Housing Ombudsman, information on how tenants can make a complaint has been available on the housing pages of the Council's website and featured in tenant newsletters in more recent years.

Table 1 Housing Complaints Received since April 2021

April 21 - Nov 21	Upheld	Not upheld	Partly upheld	Total	April 22 – Nov 22	Upheld	Not upheld	Partly upheld	Total
Repairs/ maintenance	1	6	2	10	Repairs/ maintenance	4	5	1	10
Staff	1	2		3	Staff	3	5	1	9
Housing Register		4		4	Housing Register		2	1	3
ASB				1	ASB		1		1
Data management	1			1	Adaptation/ improvement		1	2	3
					Construction noise	1			1
					Tenancy/ mutual exchange		2		2
TOTAL	3	12	2	19		8	16	5	29

- 2.3 Registered Social Landlords are required to carry out an annual self-assessment against the Housing Ombudsman Complaints Handling Code to ensure their complaint handling (in relation to landlord and tenant issues) remains in line with its requirements and publish, and to publish the results. Such an assessment has recently been completed by staff, who have recommended some minor changes to the current complaints procedure. These proposed changes will be shared with a group of engaged tenants for their comments. The final version of a revised complaints procedure will be approved by the senior management team by March 2023, to be followed by staff training.
- 2.4 Three complaints received this year have been referred to an Ombudsman Service (two to the Local Government Ombudsman, one to the Housing Ombudsman). Of two resolved, neither were upheld. One complaint is still being processed by the Local Government Ombudsman.
- 2.5 Since the Homes (Fitness for Human Habitation) Act 2018, most social landlords have seen an increase in the number of claims for disrepair. Homes must be “reasonably suitable for occupation” and factors considered include damp, lack of ventilation, issues with water supply or general disrepair.

Table 2 Disrepair claims since 2019

Year	Did the claim result in compensation?		
	Yes	No	Total
2019/2020	3	2	5
2020/2021	0	1	1
2021/2022	4	4	8
2022/2023	0	1	1
Total	7	8	15

- 2.6 Payments in relation to these disrepair claims totals £15,650.00.

- 2.7 No compensation payments have been made since the new policy for Housing was adopted in September 2022.

Table 3 Compensation Payments 2022

Date	Type of complaint	Outcome	Amount
15/06/2022	Neighbour dispute and repairs	Voucher accepted	£100
18/06/2022	Fence Repairs	Financial compensation accepted. Fence repaired	£200
05/07/2022	Fence Repairs	Voucher accepted. Fence repaired	£50
15/08/2022	Disabled adaptation request	Case with Ombudsman	£100 offered at end of Stage Two process

- 2.8 At its meeting in September 2022, Members decided that any CPI increase over 5% should trigger a review of the compensation amounts payable. The CPI rose by 11% in the 12 months to October 2022, up from 10% in September 2022. It is therefore recommended that Members approve an increase of 10% on the amount of compensation payable under the Housing compensation policy [Housing policies – Runnymede Borough Council](#)

- 2.9 In addition to the data above, all feedback is recorded and monitored so that any trends can be identified, reasons for service failures addressed and, in line with the principles of Housing’s ISO 9001 certification, service improvements can be identified and actioned. The improvements made as a result of recent complaints have mainly been to processes such as record-keeping. The procedure for damp and mould has also been reviewed and strengthened.

3. **Policy framework implications**

- 3.1 In addition to the Council’s corporate complaints policy, a Housing Complaints policy was approved by this Committee in 2021. It states that Housing Services welcomes feedback from residents including compliments and complaints.

4. **Resource implications**

- 4.1 At its meeting in September 2022, Committee decided that any Consumer Prices Index (CPI) increase over 5% should trigger a review of the compensation amounts payable. The CPI rose by 11% in the 12 months to October 2022, up from 10% in September 2022.

5. **Legal implications**

- 5.1 All bodies registered with the Regulator for Social Housing come under the jurisdiction of the Housing Ombudsman by effect of the 1996 Housing Act and 2011 Localism Act. The Housing Ombudsman Complaint Handling Code was updated this year to further strengthen provisions to support a positive complaint handling culture. Landlords must carry out an annual assessment against the Code to ensure their complaint handling remains in line with its requirements and publish the results.

6. **Equality implications**

6.1 There are no known equality implications. Complaints monitoring does not currently capture any protected characteristics of complainants.

7. **Environmental/Sustainability/Biodiversity implications**

7.1 There are no known environmental, sustainability or biodiversity implications.

8. **Conclusions**

8.1 Members are requested to note the information presented on complaints and compensation and also to approve an increase of 10% to the compensation payable to service users under the Housing compensation policy.

(To resolve)

Background papers

Housing Complaints Policy (2021 – 2023)

Compensation Policy (2022 – 2025)

The Housing Ombudsman's Complaint Handling Code (2022)