



**North East
Derbyshire**
District Council

Complaint Performance and Service Improvement Report for Housing

2023/2024

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Foreword

Introduction

From 1 April 2024, the Social Housing (Regulation) Act 2023 gave the Housing Ombudsman new powers and duties, including a new statutory code for handling complaints and a duty to monitor whether landlords comply.

The [Complaint Handling Code](#) ('the Code') means that all members of the Housing Ombudsman Scheme are obliged by law to follow its requirements.

The Housing Ombudsman also has a legal duty to ensure landlord complaints procedures and responses are compliant with the Code.

Each year Landlords must self assess against the Code to ensure policies and practices comply. The latest [Complaints Handling Code Self Assessment](#) can be viewed on our website.

The Council's Housing Management Company, Rykneld Homes Limited (RHL), deals with tenant dissatisfactions on the Council's behalf under their complaints [Policy and Procedures](#) in line with the Housing Ombudsman's Code.

This Complaint Performance and Service Improvement Report highlights key performance data, trends and service improvements related to council housing complaints.

Difference between a Service Request and a Complaint

RHL adopted the Housing Ombudsman's Complaints definition as follows:

A Service Request is defined as:

'A service request is a request from the resident to the landlord requiring action to be taken to put something right. Service requests are not complaints but must be recorded, monitored and reviewed regularly.'

A Complaint is defined as:

"An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents."

A complaint will be raised when a customer expresses dissatisfaction with the response to a request for service, even if the handling of the service request remains ongoing.

Key Performance

In 2023/24, RHL on behalf of the Council received 51 Stage 1 formal complaints this is a small increase from 2022/23, when RHL received 49 formal complaints.

11 of the 51 complaints were escalated by the customer and responded to as Stage 2 complaints.

In addition to the 51 complaints received there were 4 complaints refused in accordance with the complaints policy for the following reasons:

- Where the issue took place more than twelve months ago
- Anti-social behaviour, unless the complaint refers to our failure to deal with the matter appropriately
- Dissatisfaction with the fairness of our Policies where our Policies have been correctly applied

RHL had 2 complaints investigated by the Housing Ombudsman Service (HOS) in 2023/24. Maladministration was found in one complaint, and we are awaiting the HOS's determination on the second.

Following the maladministration outcome RHL informed the Council and the Board to create awareness. The outcome resulted in RHL responding and making changes to policy and procedures, including;

- Staff training, which took place across the organisation including with the Senior Management Team.
- The Equality, Diversity and Inclusion Policy was updated
- Changes were made to the Delivering Services to Vulnerable People policy.
- The Equality Impact Assessment (EIA) process was reviewed and improved

2 complaints were investigated by the Local Government and Social Care Ombudsman in 2023/24 (made against and responded to by the Council but with information was supplied by RHL).

The Local Government and Social Care Ombudsman found Maladministration in both complaints, which resulted in:

- Amendments to the Adaptations Policy, and;
- the inclusion of information to customers to enable referrals to the Disabled Facilities Grant (DFG) also offering support if needed to make an application.
- Learning points for both organisations about response times when dealing with complex works in a vulnerable person's home.

This learning has been cascaded to all relevant service areas.

The Complaints Team review the commonalities and trends within complaints to consider improvements that can be made to policy, procedures and the services we provide to our customers.

The Code specifies a landlord's complaint process must be 2 stages. The landlord must not use any 'informal complaint' stages, more than 2 stages or less than 2.

The following tables show the number of formal Stage 1 and 2 complaints received in 2023/24 by Service area:

Stage 1 Complaints

Service Area	Outcome		
	Upheld	Not Upheld	TOTALS
ASB	0	1	1
Asset Investment	1	0	1
Choice Move	0	3	3
Damp	7	1	8
Housing and Support	2	4	6
Multiple Service Areas	4	1	5
Regeneration	9	0	9
Rents	0	2	2
Repairs	11	2	13
Voids	1	2	3
Total Formal Complaints	35	16	51

Stage 2 Complaints

Service Area	Outcome		
	Upheld	Not Upheld	TOTALS
ASB	0	1	1
Choice Move	0	1	1
Multiple Service Areas	1	1	2
Regeneration	2	0	2
Rents	0	2	2
Repairs	1	1	2
Voids	1	0	1
Total Formal Complaints	5	6	11

The following table shows the number of complaints received in 2023/24 by complaint theme for the Service area involved:

Service Area	Complaint Theme	Upheld	Not Upheld	TOTALS
ASB	RHs handling of reports about ASB at previous property		1	
	Total	0	1	1
Asset Investment	Customer reports kitchen not fit for purpose and is beyond repair. Also that the communication from RHL on this matter has been either lacking or conflicting	1		
	Total	1	0	1
Choice Move	Handling of housing application in terms of delays in processing information and circumstances in relation to finances and mental health have not been fully considered		1	
	Lack of support from CBL re banding. Attitude and behaviour towards applicant, unsympathetic.		1	
	Allocation of property - customer feels lost and useless as if just put there and is being punished		1	
	Total	0	3	3
Damp	Handling of the customer's reports of damp and mould in the property, lack of communication	2	1	
	Lack of communication from the Damp Team. States Access Advisory Letter was unwarranted	1		
	Customer has requested flooring and sofa to be replaced - damaged due to RHL not acting soon enough in relation to water penetration causing damp and mould	1		
	Customer raised numerous concerns re state of guttering and roof	1		
	Customer raised numerous concerns re damp and mould. Complaint also concerns Operatives not turning up/completing works	1		
	Damp and Mould and standing water in garden	1		
	Total	7	1	8
Housing and Support	Issues with help to get garden waste removed. No assistance from RHL to cut back hedge/trees to make it manageable		1	

Service Area	Complaint Theme	Upheld	Not Upheld	TOTALS
	Concerns re RHL stopping the felling of diseased Ash Tree in garden after receiving complaint by neighbour	1		
	States they are being discriminated against by means of unfavourable treatment due to prescribed cannabis medication, also ongoing issues with neighbours		1	
	Erection of fence and removal of shed without consulting customer	1		
	Various concerns – lack of action by RHL re neighbour, alleged Data Protection breached, no confirmation from RHL re boundary, inadequate fencing installation		1	
	Dissatisfied with information provided and conflicting information received from Social Services/RHL re ending of parent's tenancy and long-term housing needs		1	
	Total	2	4	6
Multiple Service Areas	Various estate management issues including tenancy allocation procedures being “not fit for purpose”, alleges Housing Support Officers “not working effectively for tenants”, Surveyors (re RTB) measuring boundary inaccurately	1		
	Repairs not completed / ASB not taken seriously	1		
	ASB issues, distress, harassment and Banding – lack of action by RHL		1	
	1. Ongoing issues with mould that have remained unresolved despite treatment. 2. A bungalow has been built right in front of kitchen window blocking light and creating a no man's land at the side of home. States never received a letter or any form of consultation. 3. Promised fencing to the rear right hand side of home following the build has not happened.	1		
	Ongoing damp and mould issues remain unresolved. Ongoing issues with outstanding repairs. Lack of pointing to brickwork, poor insulation to roof	1		
	Total	4	1	5
Regeneration	Multiple issues and damages to property relating to works being completed by Regen	1		

Service Area	Complaint Theme	Upheld	Not Upheld	TOTALS
	Guttering not fit for purpose	1		
	Offered inadequate compensation for house flooding	1		
	Customer reports dissatisfaction with Contractor, including poor quality of work and customer service	5		
	Outstanding repairs to roof, windows and issues with mould	1		
	Total	9	0	9
Rents	Failure to provide notice of any outstanding rent arrears following the end of tenancy		1	
	RHL withheld information re rent increase, RHL have acted illegally in sharing information with Universal Credit and discrimination		1	
	Total	0	2	2
Repairs	Length of time taken for RHL to take appropriate action and complete the necessary repairs from when first reported	10	1	
	Multiple repair issues including roof, mould in bathroom, kitchen windows, kitchen fan, lack of plug sockets, cracked plaster etc.	1		
	Removal of fence to side of private property		1	
	Total	11	2	13
Voids	Conflicting information given about the path and outhouse		1	
	Customer states property should not have been let in condition it was and, therefore, they should be financially compensated for this		1	
	Boundary hedge cut without permission by Voids team	1		
	Total	1	2	3
Total Formal Complaints				51

During 2023/24 £15,344 has been paid in compensation during the complaints process and in accordance with the Compensation Policy.

Tenant Satisfaction Measures

The Tenant Satisfaction Measures (TSM's) provide tenants with greater transparency about their landlord's performance. There are 22 TSM's, covering five themes. Ten of these are measured by landlords directly, and 12 are

measured by landlords carrying out tenant perception surveys. RHL carry out the TSM's on the Council behalf.

Performance Indicator	2023/24 Performance
CH01 Number of: Stage 1 complaints received per 1,000 homes	6.7
CH01 Number of: Stage 2 complaints received per 1,000 homes	1.4
CH02 Proportion of: Stage 1 complaints responded to within the Housing Ombudsman's Complaint Handling Code timescales	100%
CH02 Proportion of: Stage 2 complaints responded to within the Housing Ombudsman's Complaint Handling Code timescales	90.9%

Included in the TSM's are Complaints Performance Indicators, the table below shows 2023/24 Performance information (note definitions are compliant with the Regulator of Social Housing Tenant Satisfaction Measures) - :

The effective handling of complaints satisfaction is published as part of the Tenant Satisfaction Measures (TSM) perception survey – Effective Handling of Complaints.

(The full TSM's results can be viewed on [Rykneld Homes Limited's](#) website).

Learning and Service Improvements

Learning from complaints ensures mistakes are not repeated.

Each complaint received is treated as an opportunity for us to learn and to improve our services. RHL has taken actions as a result of learning from complaints in 2023/24, which include:

- Reviewing and improving the Equality, Inclusion and Diversity Policy and Delivering Services to Vulnerable Persons Policy
- Reviewing and improving The Equality Impact Assessment Process and undertaking staff training to ensure customers circumstances are effectively considered during service delivery
- Improved communication for customers by requiring specific service teams to put any agreed actions with customers in writing
- Improving the Adaptations Policy to ensure customers are given advice and support when referred for a Disabled Facilities Grant (DFG)
- Increased capacity in our Complaints Team by appointing a new member of staff to support customers during the complaints process.

The complaint outcomes are fed back to the service area involved with any learning points provided in order to establish best practice and a 'get it right first time' approach.

Equality and Diversity

An Equality Impact Assessment (EIA) is a tool that helps us to place equality, diversity, cohesion and integration at the heart of everything we do and make sure our strategies, policies, services and functions do what they are intended to do and work for everyone.

RHL ensures the complaints policy and processes are accessible to all. Equality Impact Assessment's (EIA's) are completed for all complaints received to minimise risk.

Internal Audit

Internal Audit's evaluate the effectiveness of risk management, control, and governance processes, taking into account public sector internal auditing standards or guidance. An Internal Audit will be conducted on Complaints Management during 2024/25.

Reporting Procedures

This Complaint Performance and Service Improvement Report for Housing will be completed on an annual basis and published on the Council's website.

Annual complaints performance will be included in RHL Customer Annual Report and published on the RHL's website. Customer satisfaction with complaints handling will be publicised with the TSM.

Performance regarding complaints that are referred to the Housing Ombudsman are published on the Housing Ombudsman website. Rykneld Homes' compliance with the Housing Ombudsman Complaint Handling Code will be published on RHL's website.

RHL's performance, code compliance and learning will be reviewed by the Operational Board and the Council's Housing Client Team and Leader of the Council & Portfolio Holder for Strategic Leadership & Finance.

Rykneld Homes report key performance data to the Council on a quarterly basis through the Council's Key Performance Indicators (KPI'S).