

Crawley Borough Council

Report to Overview and Scrutiny Commission

2 September 2024

Report to Cabinet

4 September 2024

Crawley Homes Annual Complaints Performance and Service Improvement Report and Statutory Complaints Handling Code

Report of the Head of Crawley Homes. CH/208

1. Purpose

- 1.1. The Housing Ombudsman's Complaints Handling Code became statutory from 1 April 2024. It included additional requirements for scrutiny and oversight.
- 1.2. The governing body must scrutinise, approve, and respond to, an Annual Complaints Performance and Service Improvement Report and must have access to regular complaints performance information.

2. Recommendations

- 2.1. To the Overview and Scrutiny Commission:

That the Commission consider the report and decide what comments, if any, it wishes to submit to the Cabinet.

- 2.2. To the Cabinet

That the Cabinet is recommended to:

- a. Approve the Crawley Homes Annual Complaints Performance and Service Improvement Report and Statutory Complaints Handling Code (appendix A) for adoption and subsequent publication, with subsequent complaint reports and complaints performance information being published in the Councillors' Information Bulletin (as agreed in 2015).
- b. Delegate authority to the Head of Crawley Homes, in consultation with the Cabinet Member for Housing and the Leader of the Council, to approve the response, submission and publication of the report online, alongside the report and compliance with statutory code. (*Generic Delegation 7 will be used to enact this recommendation*).
- c. Delegate authority to the Head of Crawley Homes, in consultation with the Cabinet Member for Housing, to make minor amendments to the Crawley Homes Annual Complaints Performance and Service Improvement Report and Statutory Complaints Handling Code as further changes are introduced, including as and when legislation and statutory guidance are forthcoming. (*Generic Delegation 7 will be used to enact this recommendation*).

3. Reasons for the Recommendations

- 3.1. To comply with the Housing Ombudsman's Statutory Complaints Handling Code, as set out in 4.1 below.

4. Background

- 4.1. In accordance with the Code, providers must publish an annual complaints performance and service improvement report (Appendix A), including the completed self-assessment of compliance with the Code. The service improvement plan (page 13 of the report onwards) brings together a number of separate strands of work and plans, some of which have been in place and evolving since 2022, as well as newer actions arising from more recent complaints and reviews.
- 4.2. The Annual Complaints Performance and Service Improvement Report must be reviewed and approved by the landlord's governing body at least annually. The governing body for Local Authority providers is considered to be Cabinet.
- 4.3. Once approved, the report must be published on the landlord's website. The governing body's response to the report must be published alongside this.
- 4.4. A member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC'). The MRC is the Cabinet Member for Housing.
- 4.5. The governing body must receive regular information that provides insight on the landlord's complaint handling performance. The MRC is responsible for ensuring this regular information. The MRC has been receiving monthly complaint reports since 2023 with active review of these reports at portfolio meetings.
- 4.6. It should be noted that there has been a significant focus on complaints since 2022 and whilst there is confidence that we are heading in the right direction to improve performance. This report should be read in conjunction with report CH/207, which features on the same agenda for the Overview and Scrutiny Commission, which references low satisfaction levels with complaint handling when residents have been asked the prescribed question as part of the Tenant Satisfaction Measures survey.

5. Information and Analysis Supporting Recommendation

- 5.1. The Social Housing (Regulation) Act 2023 (the Act) empowered the Housing Ombudsman to issue a code of practice about the procedures members of the Scheme should have in place for considering complaints. The statutory Code will take effect from 1 April 2024 and The Ombudsman believes all landlords must comply with all provisions in the Code as this represents best practice in complaint handling.
- 5.2. The provision of a response from the governing body is required in order to comply with the Housing Ombudsman's Statutory Complaints Handling Code and ensure information is ready for publication.
- 5.3. This will ensure a mechanism for subsequent complaint reports and complaints performance information to be published in the Councillors' Information Bulletin.

6. Implications

- 6.1. Staffing – there are no direct staffing implications associated the implementing the above as this will be completed within current resources.
- 6.2. Financial – non-compliance with the code can lead to financial penalties.
- 6.3. Legal – non-compliance with the code can lead to legal action as a result of failure to investigate complaints effectively and offer reasonable redress.

7. Background Papers

None

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