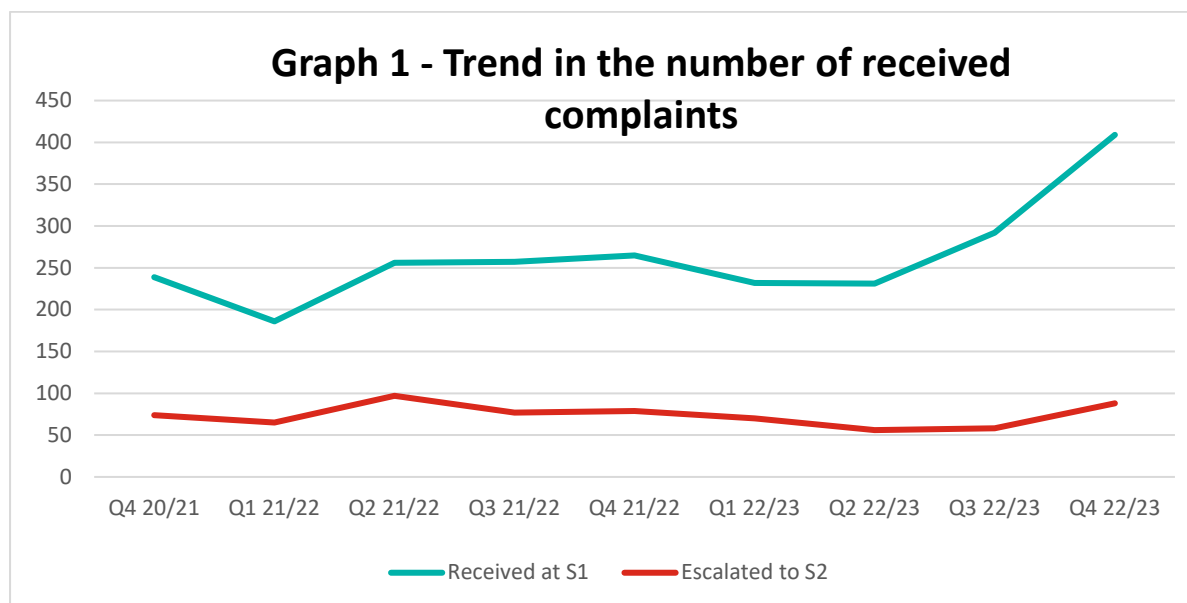
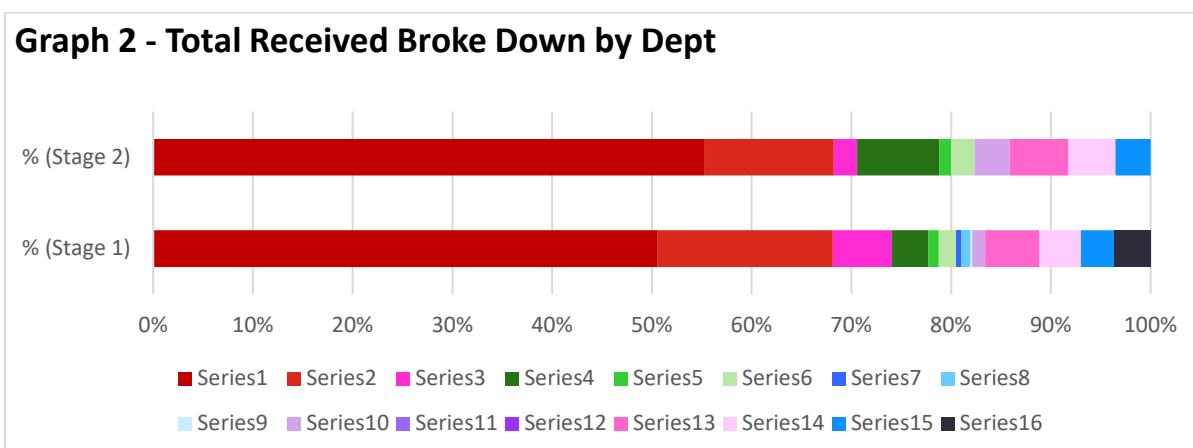


## Complaints report for Quarter 4 (01 January 2023 - 31 March 2023)



Quarter	Received at S1	Escalated to S2	Proportion of escalated complaints	Target
Q4 20/21	239	74	31.0%	10%
Q1 21/22	186	65	34.9%	10%
Q2 21/22	256	97	37.9%	10%
Q3 21/22	257	77	30.0%	10%
Q4 21/22	265	79	29.8%	10%
Q1 22/23	232	70	30.2%	10%
Q2 22/23	231	56	24.2%	25%
Q3 22/23	292	58	19.9%	25%
Q4 22/23	409	88	21.5%	25%

Graph 1 and the accompanying table shows Stage 1 and 2 complaints received covering the period 01 January 2023 to 31 March 2023. Comparison with the previous quarter a year ago Q4 21/22 shows an increase of 144 Stage 1 complaints and an increase of 9 Stage 2 complaints. It also shows an increase of 117 Stage 1 and 30 Stage 2 complaints when compared to the last quarter (Q3 2022/23), which is a considerable increase to be monitored.

**Graph 2 - Total Received Broke Down by Dept**


	Total Received by Dept	Stage 1	Stage 2	% (Stage 1)	% (Stage 2)
<b>1</b>	Responsive Repairs	195	47	47.7%	53.4%
<b>2</b>	Planned Works, M & E	68	11	16.6%	12.5%
<b>3</b>	Leasehold Services	23	2	5.6%	2.3%
<b>4</b>	Neighbourhood - London	14	7	3.4%	8.0%
<b>5</b>	Neighbourhood - Hertford	4	1	1.0%	1.1%
<b>6</b>	Voids & Lettings - London	7	2	1.7%	2.3%
<b>7</b>	Voids & Lettings - Hertford	2	0	0.5%	0.0%
<b>8</b>	Income - Hertford	3	0	0.7%	0.0%
<b>9</b>	Income - London	1	0	0.2%	0.0%
<b>10</b>	Intermediate Rent	5	3	1.2%	3.4%
<b>11</b>	Older Persons	0	0	0.0%	0.0%
<b>12</b>	Supported Housing	0	0	0.0%	0.0%
<b>13</b>	SW9	21	5	5.1%	5.7%
<b>14</b>	Central Complaints	16	4	3.9%	4.5%
<b>15</b>	Development	13	3	3.2%	3.4%
<b>16</b>	Contact Centre	22	3	5.4%	3.4%
<b>17</b>	Estates Services	14	0	3.4%	0.0%
<b>18</b>	Miscellaneous	1	0	0.2%	0.0%
	<b>Total</b>	<b>409</b>	<b>88</b>		

A departmental breakdown of complaints received in the quarter is set out in graph 2 together with the accompanying table. Because of the nature of the work, they are involved in Asset Management accounts for 63% of the total complaints received at Stage 1. Asset Management is made up of Responsive repairs (47.7%) and Planned Works, M&E (16.6%) as shown in table above.

Responsive Repairs had 195 at Stage 1, 83 more than last quarter, followed by 68 Stage 1 from Planned Works and M&E, which is a decrease of 4 than last quarter.

In this quarter there were 12,370 repairs raised for all responsive repair contractors. This is an increase of 45 additional repairs raised compared to the last quarter.

The repairs workforce includes Wates\* and MCP, plus our small new framework contractors Chas Berger, Close Brothers and R Benson (Roof repairs only).

There were 161 stage 1 complaints in the quarter for these responsive repair contractors, meaning that approximately 1.3% of repairs lead to a complaint being logged. Below are tables which provide a full breakdown of the jobs raised for each contractor.

\*Wates no longer work for Network.

### Stage 1

COMPLAINTS VS JOBS RAISED	<u>Wates*</u>		
	Complaints	Jobs raised	%
<b>January</b>	17	871	1.95%
<b>February</b>	5	0	N/A
<b>March</b>	6	0	N/A

\*Network ended the contract with Wates on 31/01/2023 which is why no jobs were raised in February and March, but complaints were still able to be raised on the works that had been raised to them.

COMPLAINTS VS JOBS RAISED	<u>MCP</u>		
	Complaints	Jobs raised	%
<b>January</b>	18	2572	0.70%
<b>February</b>	28	3701	0.76%
<b>March</b>	64	4407	1.45%

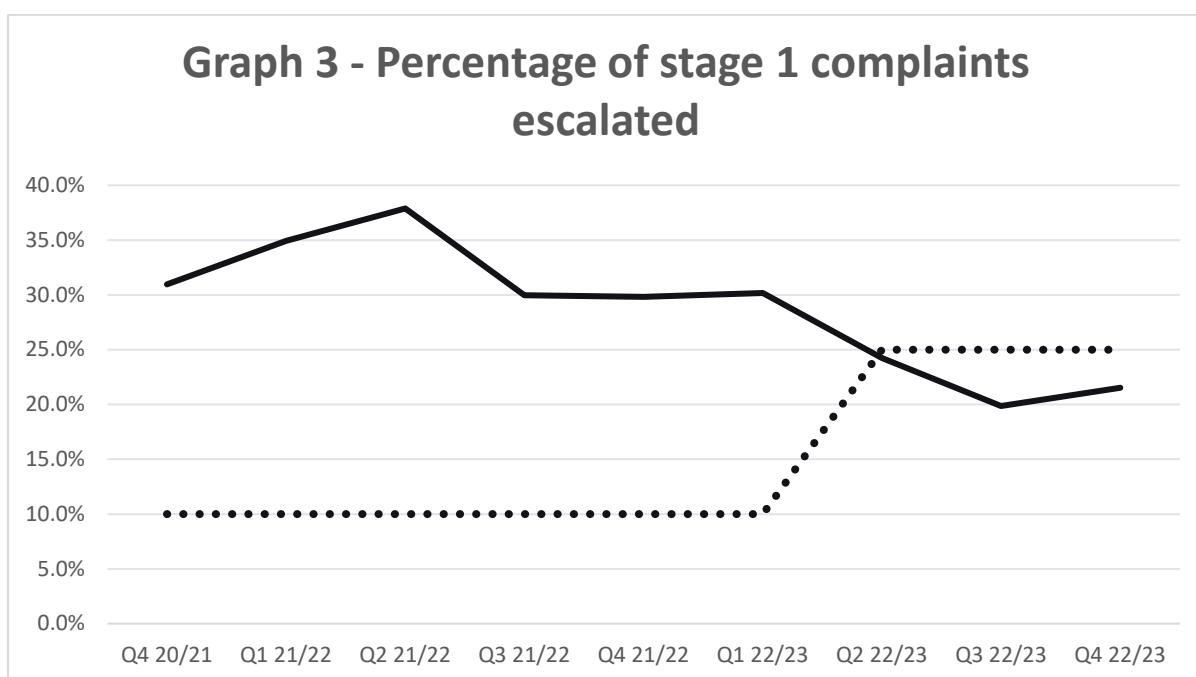
COMPLAINTS VS JOBS RAISED	<u>Chas Berger</u>		
	Complaints	Jobs raised	%
<b>January</b>	0	1	0.0%
<b>February</b>	0	0	0.0%
<b>March</b>	1	6	16.7%

COMPLAINTS VS JOBS RAISED	<u>R Benson</u>		
	Complaints	Jobs raised	%
<b>January</b>	2	111	1.8%
<b>February</b>	1	32	3.1%
<b>March</b>	4	116	3.4%

COMPLAINTS VS JOBS RAISED	<u>Close Brothers</u>		
	Complaints	Jobs raised	%
<b>January</b>	5	465	1.1%
<b>February</b>	6	49	12.2%
<b>March</b>	4	39	10.3%

COMPLAINTS VS JOBS RAISED	<u>Combined</u>		
	Complaints	Jobs raised	%
<b>January</b>	42	4020	1.0%
<b>February</b>	40	3782	1.1%
<b>March</b>	79	4568	1.7%
<b>Quarter 4 Total</b>	161	12,370	1.3

#### Complaints that escalated from Stage 1 to Stage 2



A total number of 409 Stage 1 complaints were received in Q4 2022/23, 117 more than Q3 2022/23 (292). There were 88 Stage 2 complaints logged, which was 30 more than Q3 2022/23 (58), as referred above this is a considerable increase quarter on quarter and needs to be closely monitored.

### Performance - complaints responded to on time

Performance decreased by 7% to 90% for Stage 1 Q4 2022/23. The decrease in Stage 1 performance can be attributed to a high level of stage 1 complaints being received with 404 stage 1 complaints being closed in the quarter.

Given the increase in complaints being received, there has also been increased learning and focus on trying to resolve the complaint as early as possible into the complaints process. Additional feedback and coaching have been provided to assist those completing a complaint investigation (at Stage 1) so they understand the importance of explaining/detailing their findings and resolution. More emphasis has also been placed on ensuring compensation is awarded in line with our compensation policy and the rationale behind compensation awards is shared with residents. Generally, with greater feedback, residents have been more satisfied with the responses they have been receiving, leading to less escalations to Stage 2 (more on this below).

We noted in the Q3 2022/23 write up that SW9 showed 0 complaints closed in (Q3) and that this would show in Q4 which has done with SW9 responding to under half of their complaint on time. This is also an overriding factor on not hitting the 95% target for stage 1. This is also a large drop from 97% in Q2 for SW9 to 48%,

Stage 2 increased by 8% to 99%. With only 1 complaint response going late in February, this was avoidable and went late due to an admin error with the incorrect response date on our records.

Overall, 92% of combined Stage 1 and Stage 2 complaints were issued on time, meaning the overall target of 95% was not achieved, and it was a 4% decrease on the last quarter (Q3).

Responsive repairs resolved 181 out of their 191 complaints on time showing 95%, which was a decrease of 4% on last quarter (Q2). This is compared to Planned Works, Compliance and M & E who resolved 65 out of 69 of complaints on time with 94% being on time. which is a 1% decrease on the last quarter (Q2).

Out of the 365 Stage 1 complaints closed in Q4 we determined the outcomes as below:

Month	Upheld	Not Upheld	Partially Upheld
January	73	24	31
February	62	31	22
March	95	25	41
<b>Totals</b>	<b><u>230</u></b>	<b><u>80</u></b>	<b><u>94</u></b>

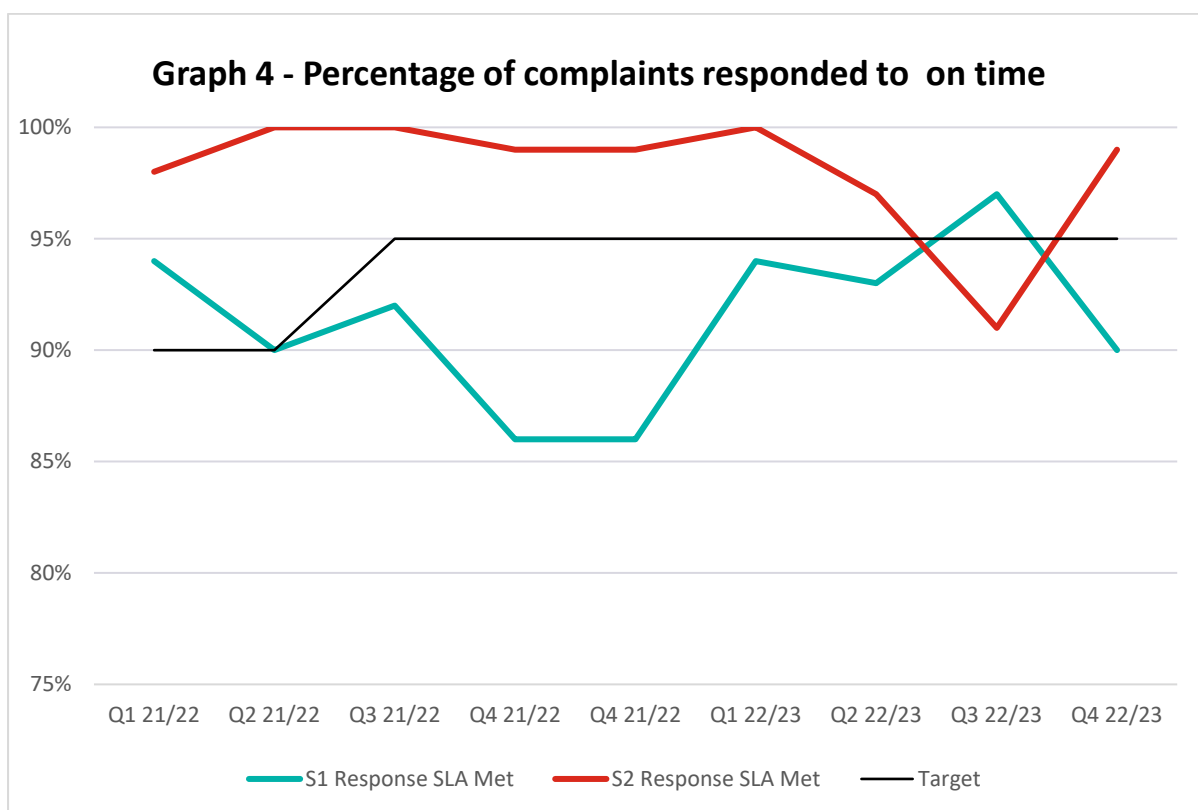
We upheld 85% of our Stage 1 complaints (including upheld and partially upheld. The level of complaints upheld is broadly in line with Ombudsman outcomes, and important to note.

Out of the 81 Stage 2 complaints closed in Q4 we determined the outcomes as below:

Month	Upheld	Not Upheld	Partially Upheld
January	11	2	9
February	12	7	5
March	19	4	12
<b>Totals</b>	<b><u>42</u></b>	<b><u>13</u></b>	<b><u>26</u></b>

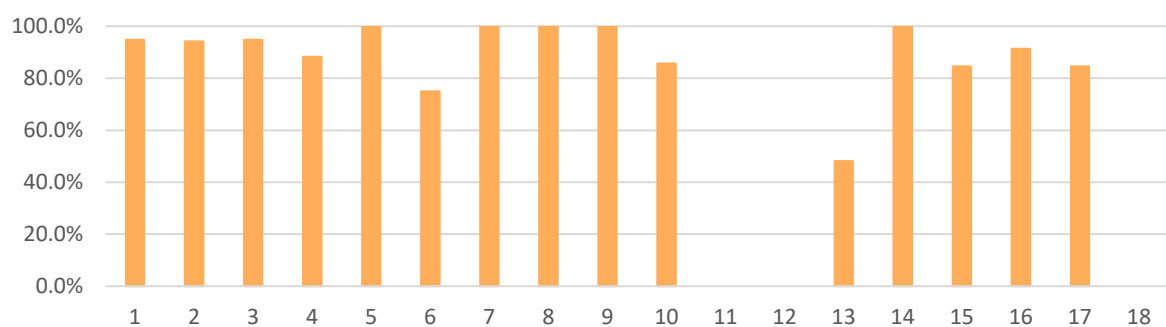
We upheld 67% of our Stage 2 complaints (including upheld and partially upheld), and again in line with the outcomes being see at the Ombudsman Service.

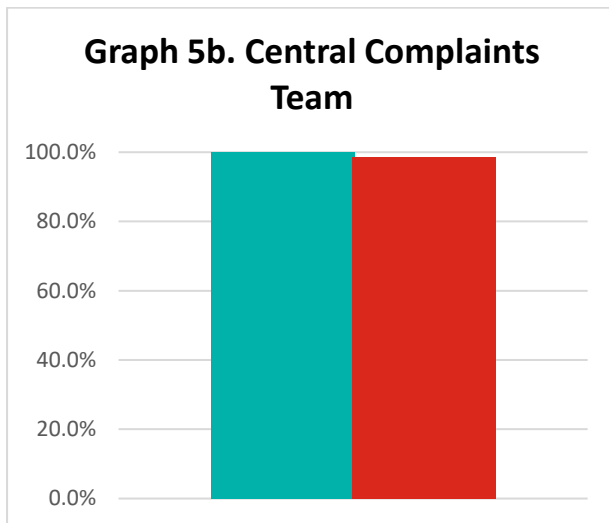
Quarter	S1 Response SLA Met	S2 Response SLA Met	Target
Q1 21/22	94%	98%	90.00%
Q2 21/22	90%	100%	90.00%
Q3 21/22	92%	100%	95.00%
Q4 21/22	86%	99%	95.00%
Q1 22/23	94%	100%	95.00%
Q2 22/23	93%	97%	95.00%
Q3 22/23	97%	91%	95.00%
Q4 22/23	90%	99%	95.00%



	Total Resolved by Dept	Stage 1			Stage 2		
		No. on Time	Closed	% On Time	No. on Time	No. Closed	% On Time
<b>1</b>	Responsive Repairs	181	191	94.8%	0	0	N/A
<b>2</b>	Planned Works, M & E	65	69	94.2%	0	0	N/A
<b>3</b>	Leasehold Services	18	19	94.7%	0	0	N/A
<b>4</b>	Neighbourhood - London	15	17	88.2%	0	0	N/A
<b>5</b>	Neighbourhood - Hertford	3	3	100.0%	0	0	N/A
<b>6</b>	Voids & Lettings - London	3	4	75.0%	0	0	N/A
<b>7</b>	Voids & Lettings - Hertford	2	2	100.0%	0	0	N/A
<b>8</b>	Income - Hertford	2	2	100.0%	0	0	N/A
<b>9</b>	Income - London	1	1	100.0%	0	0	N/A
<b>10</b>	Intermediate Rent	6	7	85.7%	0	0	N/A
<b>11</b>	Older Persons	0	0	N/A	0	0	N/A
<b>12</b>	Supported Housing	0	0	N/A	0	0	N/A
<b>13</b>	SW9	13	27	48.1%	2	2	100%
<b>14</b>	Central Complaints	13	13	100.0%	78	79	98.8%
<b>15</b>	Development	11	13	84.6%	0	0	N/A
<b>16</b>	Contact Centre	21	23	91.3%	0	0	N/A
<b>17</b>	Estates Services	11	13	84.6%	0	0	N/A
<b>18</b>	Miscellaneous	0	0	N/A	0	0	N/A
	<b>Total</b>	<b>365</b>	<b>404</b>	<b>90.3%</b>	<b>80</b>	<b>81</b>	<b>98.8%</b>

**Graph 5a. Complaints Responded To On Time  
By Department**





**Please note that SW9 complete their own Stage 2 complaint responses and all Network Homes are completed by the Central Complaints Team.**

### Compensation.

#### Stage 1

Compensation can be awarded where, following an investigation, it is identified that our actions or lack of action had a significantly adverse effect on the resident. At Stage 1 £43,300 shown in graph 6 (below) with a comparison to previous quarters. This is an increase of £16,589 on the last quarter (Q3). This large increase is due to the large increase of stage 1 complaints received and resolved.

Once again delay was the highest payment with £16,903 compensation paid out accounting for 39% of the total awarded. Distress was £14,445 at 33% of the total award (which is normally awarded the same as delay and go hand in hand together). This is shown in graph 7 along with the rest of the breakdown of categories in the table below.

#### Stage 2

We are now reporting on Stage 2 compensation, whilst in the whole this can be seen as addition to all Stage 1 compensation awarded, in some respects it will be new compensation (as none was awarded at Stage 1). Currently we have no way of cross referencing this but gives a good indication of where we are. As the quarters go on there will be more comparable data at Stage 2 same as with Stage 1.

Compensation was awarded at Stage 2 in respect of 67 complaints closed awarding compensation at a total cost of £26,678 this was an increase of £10,634 on Q3 shown in graph 7 along with the table. Stage 2 follow suit as per Stage 1 with Delay and Distress taking up most of the total amount.

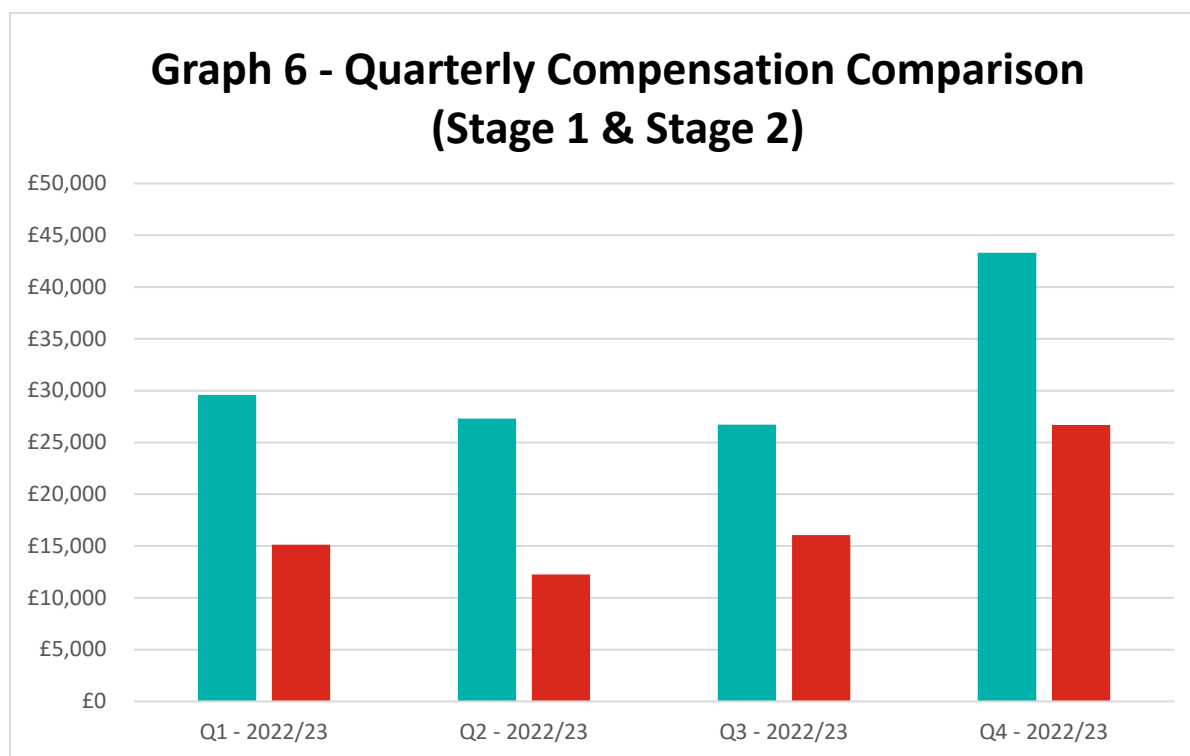
**Compensation is something that is currently under scrutiny, with the Ombudsman awarding more compensation than ever. We are waiting on an update from the Ombudsman in respect of their own spotlight on Compensation, so we can review and update our Compensation Policy Document to align with their rationale on awarding compensation.**



### Regaining costs from contractors

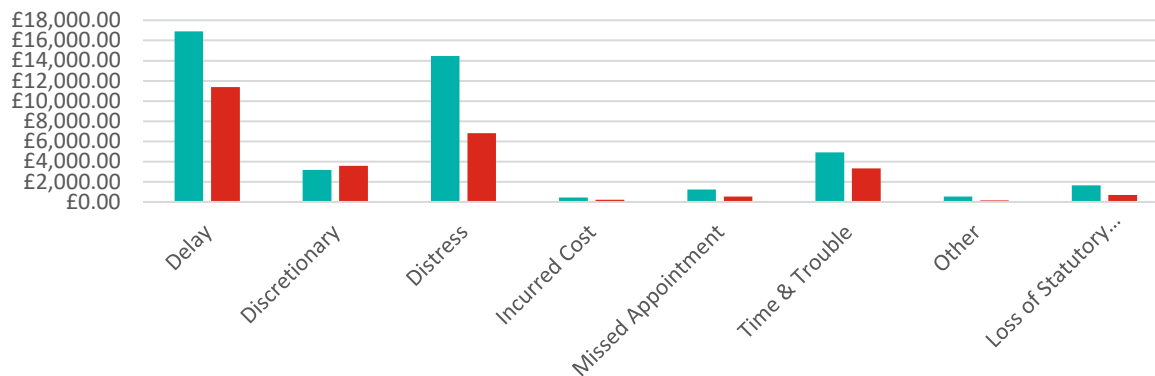
Each month our repairs team track the amount awarded for delays and request this money back from Wates and MCP. In this quarter (01 January – 31 March 2023) we are claiming back £worth of compensation so far. Full breakdown below. This figure accounts for both complaints and non-complaints related compensation recharged to a contractor.

<b>Wates</b>	<b>MCP</b>
January 2023 - £2,795	January 2023 - £2,741
February 2023 – £2,183	February 2023 - £4,352
March 2023 – £989	March 2023 – £9,450
<b>Total for Q4 – £6,59716,543</b>	<b>Total for Q4 – £16,543</b>



	<b>Stage 1</b>	<b>Stage 2</b>
<b>Q1 - 2022/23</b>	£29,581	£15,118
<b>Q2 - 2022/23</b>	£27,301	£12,252
<b>Q3 - 2022/23</b>	£26,711	£16,044
<b>Q4 - 2022/23</b>	£43,300	£26,678

**Graph 7 - Quarterly Compensation Comparison  
(Stage 1 & Stage 2) by Type**



		<i>January</i>	<i>February</i>	<i>March</i>	Total
<b>Award</b>	<b>Total S1 &amp; S2</b>	<b>Stage 1</b>			
Delay	£28,281.00	£2,800.00	£6,065.00	£8,038.00	£16,903.00
Discretionary	£6,766.15	£1,224.15	£765.00	£1,190.00	£3,179.15
Distress	£21,250.00	£2,235.00	£5,060.00	£7,150.00	£14,445.00
Incurred Cost	£636.00	£0.00	£330.00	£100.00	£430.00
Missed Appointment	£1,770.00	£200.00	£180.00	£850.00	£1,230.00
Time & Trouble	£8,246.00	£636.00	£1,565.00	£2,724.00	£4,925.00
Other	£669.16	£50.00	£0.00	£478.16	£528.16
Loss of Statutory Service	£2,359.65	£530.00	£340.00	£789.65	£1,659.65
<b>Total</b>	<b>£69,977.96</b>	<b>£7,675.15</b>	<b>£14,305.00</b>	<b>£21,319.81</b>	<b>£43,299.96</b>

<i>January</i>	<i>February</i>	<i>March</i>	Total
<b>Stage 2</b>			
£3,839.00	£2,939.00	£4,600.00	£11,378.00
£319.00	£892.00	£2,376.00	£3,587.00
£1,905.00	£2,250.00	£2,650.00	£6,805.00
£0.00	£40.00	£166.00	£206.00
£210.00	£180.00	£150.00	£540.00
£1,153.00	£875.00	£1,293.00	£3,321.00
£0.00	£141.00	£0.00	£141.00
£0.00	£420.00	£280.00	£700.00
<b>£7,426.00</b>	<b>£7,737.00</b>	<b>£11,515.00</b>	<b>£26,678.00</b>

In closing on compensation and looking forward we will be looking at completing adhoc/retrospective reviews on compensation payments over £500. This will help ensure learning and consistency on how and when compensation should be awarded. (This is dependent on resource being available).

### **MP and Cllr Enquiries**

68 MP and Councillor enquiries were received in this quarter (Q4), same as in Q3 2022/23. 45 out of 52 (due for response within the quarter) were closed on time which is 53% which is a decrease of 29%.

The reasons for the enquiries going late relied mainly on lack of responses from the teams involved in arranging the response, and something we are working on resolving by engaging with the teams earlier into the process and helping where necessary.

	<b>Total Received Broke Down by Dept - Q4</b>	<b>Enquiries Received</b>	<b>% (Enquiries)</b>	<b>No. on Time</b>	<b>No. Closed</b>	<b>% On Time</b>
<b>1</b>	Central Complaints Team	3	4.4%	2	4	50.0%
<b>2</b>	Construction & Regeneration	0	0.0%	0	0	N/A
<b>3</b>	Energy Project	3	4.4%	2	2	100.0%
<b>4</b>	Estates Services	2	2.9%	2	2	100.0%
<b>5</b>	Fire Safety	0	0.0%	0	0	N/A
<b>6</b>	Income - London	1	1.5%	1	1	100.0%
<b>7</b>	Income - Hertford	0	0.0%	0	0	N/A
<b>8</b>	Leasehold Services	7	10.3%	7	7	100.0%
<b>9</b>	Neighbourhood - Hertford	4	5.9%	3	3	100.0%
<b>10</b>	Neighbourhood - London	16	23.5%	7	7	100.0%
<b>11</b>	Older Persons	0	0.0%	1	1	100.0%
<b>12</b>	Planned Works, M & E	2	2.9%	0	1	0.0%
<b>13</b>	Resident Engagement	0	0.0%	0	0	N/A
<b>14</b>	Responsive Repairs	20	29.4%	11	14	78.6%
<b>15</b>	Voids & Lettings & Handy Person - London	3	4.4%	4	4	100.0%
<b>16</b>	SW9	0	0.0%	0	0	N/A
<b>17</b>	Building Safety	0	0.0%	0	0	N/A
<b>18</b>	Data Protection	0	0.0%	0	0	N/A
<b>19</b>	Intermediate Rent	2	2.9%	2	2	100.0%
<b>20</b>	Legal Services/Disrepair	4	5.9%	2	3	66.7%
<b>21</b>	Development - Resales	0	0.0%	0	0	N/A
<b>22</b>	Sustainability	1	1.5%	1	1	100.0%
	<b>Total</b>	<b>68</b>	<b>52.9%</b>	<b>45</b>	<b>52</b>	<b>66.2%</b>

### Housing Ombudsman activity and Decisions

2 information requests for formal investigations and 4 determinations were received in Q4 2022/2023. Out of the 4 determinations received in the quarter as some had multiple determinations, there were 8 decisions in total. These were made up of 1 No Maladministration, 2 reasonable redress, and 1 outside of jurisdiction and 2 maladministration and 2 service failure.

We challenged one of the service failures on complaint handling, which was overturned to no maladministration.

Below is a breakdown of the four determinations in question.

#### **Ombudsman Determination 1 - No maladministration and Reasonable Redress**

The complaint was about our handling of the resident's report of damage to their fixtures and fittings while the property was temporarily vacant to allow fireproofing work, and our complaint handling.

On the no maladministration they state we acted reasonably in our handling of the resident's report of damage to fixtures and fittings, because we provided evidence in the form of the schedule of condition that the damage was already in existence, and although we did not accept liability for the damage, we took practical steps to resolve the complaint by deep cleaning the carpet and offering to repair the flooring and replace the refrigerator door.

On the reasonable redress for complaint handling, they state although there was a service failure in our complaint handling, they consider that the efforts made by us to resolve the complaint were reasonable, given that we cleaned the carpet and offered to repair the flooring and replace the refrigerator door. Therefore, we made an offer of reasonable redress to the resident.

#### **Ombudsman Determination 2 - Outside of jurisdiction**

The complaint was about our response to a resident's request for a refund of their rent and service charge overpayments to it while receiving housing benefit.

It was outside of jurisdiction as under paragraph 42(e) of the Housing Ombudsman Scheme, the Ombudsman may not consider complaints which, in the Ombudsman's opinion: *"concern the level of rent or service charge or the amount of the rent or service charge increase"*.

The resident's complaint is regarding our handling of the amount of rent and service charges that they overpaid to it while receiving housing benefit since her tenancy in 2009, and request to be refunded £9,943.88 for this that was declined. However, complaints concerning the level of rent and service charge, or the amount of the rent or service charge increase, fall outside the jurisdiction of this Service. This is because they do not have the authority or expertise to determine the level of rent or service charges in the way that a court or tribunal might. For this reason, the complaint was outside of the jurisdiction of the Ombudsman.

### **Ombudsman Determination 3 - Reasonable redress and Service Failure**

The complaint was about our handling of the resident's enquiries about service charges for communal electricity, and the complaint process.

There was a service failure for complaint handling as whilst we met the time limits provided for in our policy for responses, we failed to log the complaint as such to begin with and then failed to acknowledge it. This was not in accordance with our policy nor in line with good practice including the Ombudsman Complaint Handling Code of the time which states *"Landlords should not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action"*.

It represented a service failing on our behalf, as they state we might reasonably have been expected to acknowledge this to the resident and offer compensation in recognition of the impact upon them. They ordered we pay compensation of £50.

The reasonable redress on communal electricity charges was determined because we offered the resident compensation for their time and trouble of £100. We had reassured the resident at a relatively early stage that we considered the bill to be an error and agreed not to enforce payment. The Ombudsman stated: *"We might reasonably have expected your actions, intended to ensure the resident experienced no financial loss, to offer support and comfort to the resident. However, in the Ombudsman's view, this resident was especially sensitive to the situation given their propensity to anxiety, whereas it is reasonable to conclude that other residents, faced with the same problem, may have been reassured by your actions. The Ombudsman does not seek to detract from the resident's experience of events but considers that the level of compensation was appropriate when considered on an objective, rather than subjective, basis"*.

### **Ombudsman determination 4 – Maladministration, Maladministration, Service Failure**

**Maladministration** in our handling of the reports of ASB. - £300 awarded

**Maladministration** in our record keeping. - £100 awarded

**Service failure** in our complaint handling. - £100 awarded

The background to the complaint relates to reports of ASB from a neighbour reporting allegations the neighbour was drug taking in communal areas, inviting neighbours into the property, and also engaging in sexual activity in communal areas, with sex workers. The resident had also lent money to the neighbour who was then pursuing this. The resident felt unsafe and uncomfortable.

In response to the two maladministration's the ombudsman state they acknowledge the resident's frustration that their situation remained unresolved over an extended period. However, while records show consistent reporting of incidents in May-July 2020, according to the evidence provided to this service there was an absence of the resident reporting between July 2020 and February 2021. It is acknowledged that the resident wasn't staying at the property for some of this time, which goes some way to explain the absence of reports. However, we were not in a position to investigate where reports weren't received, and there is no evidence that we was aware that the resident was staying elsewhere in June 2020 and then from 2 November 2020 to February 2021.

Whilst they acknowledge the need for the resident to continue to report any instances of ASB, they said we investigated and communicated with the resident following initial reports of ASB but failed to monitor the case as it said we would and failed to respond to information provided by the resident's

employer which raised concerns about ongoing ASB and asked for assistance with a move from the property. While we ultimately resolved the case by way of a transfer, and waived an associated fee, records do not evidence that we responded within a reasonable time.

The Ombudsman also state on our service of complaint handling that we had been unable to provide records to support our explanations, and our complaint responses did not include a reasonable level of detail or explanation to support our findings.

\*we have asked for a review on all three determinations on the basis that they have found reasonable redress in giving the transfer at no cost to resident, and that they found no maladministration in the reports of ASB originally reported, and we argue that no further ASB was reported to us, but they claim it was via the residents employer.

### **Lessons Learnt**

#### **Neighbourhood**

Neighbourhood have identified and agreed when responding to complaints/complainants they need to encourage Neighbourhood Officers to provide updates to residents even if the update is minimal or they do not have an update to give. This can reduce the amount of complaint on the issue of 'no contact'. All Stage 1 responses have also improved in terms of the quality and detail within the

#### **Process/Policy**

A resident recently built something we did not class a shed, but we gave permission without knowing the size a resident was to build, or indeed what they were building and had to instruct them to take it down. This became a complaint that has gone to the Ombudsman for review. On the back of this we have introduced policy (and processes) to ensure the conversations and actions have one clear path and avoid any confusion.

#### **Repairs**

Our repairs team have implemented a new weekly meeting which is dedicated to going through all open roofing work with MCP. This is with a view for us to review any recommendations that our roofers may make to ensure longevity of repairs, to achieve value for money by potentially carrying out recommended (but not necessarily required) work at the point at which a scaffold is up. We hope this will help to reduce the volume of reactive call outs on roofs that we have carried out maintenance to.

We have lots of repairs raised to properties which once diagnosed the issue could be sent back to the building/construction company as under warranty, but usually this happens too late. So, our Repairs, Latent Defects and Contact Centre teams have been working on a project which aims to improve the way in which we manage repairs on properties that may still be covered under warranty, by designing a system to enable our Contact Centre to refer an issue to the Latent Defects team at first port of call, as opposed to having a Repairs contractor attend reactively, and the referral made later.

#### **Report completed by**

James Mahaffy, Central Complaints Manager and Adam Tolhurst, Central Complaints Officer