

# Report to the Neighbourhoods & Community Services Scrutiny Panel

For the meeting to be held on 3 September 2020



## Stage 3 Complaints

### Summary:

This report has been produced by the Resident Board at the request of the Neighbourhoods & Community Services Scrutiny Panel following their pre-meeting held on 13 August 2020. The report sets out the Board's comments and views on a series of Stage 3 complaints that the Resident Complaints Panel have heard over the past year.

**Author of the Report** – Slough Borough Council Resident Board Approved

## Stage 3 Complaints

### Background

The Regulator for Social Housing requires social housing providers to offer complainants the opportunity to have their complaint reviewed by a 'Designated Person' at the final stage of their complaints process. A 'Designated Person' can be a locally elected Member, MP or a Resident Panel. In Slough, the Resident Complaints Panel is registered with the Housing Ombudsman (not the Local Government Ombudsman) as the 'Designated Person'.

The Panel consists of 3 Resident Board Members and is facilitated by the Independent Chair of the Board. Complainants can choose to ask the Panel to review their complaint at Stage 3 of the process or, alternatively, wait 8 weeks before asking the Ombudsman to review their complaint.

The Board recently asked for a Resident Complaints Scrutiny Group to be established, primarily to review complaints relating to Osborne Property Services but to also take account of the requirements of the Complaints Handling Code published by the Ombudsman in July 2020.

### Stage 3 Complaints

The Board became concerned at the increasing number of complaints that escalated to Stage 3 and which were heard by the Panel. For example, in 2015 and 2016 the Panel reviewed 2 Stage 3 complaints (1 per year) and a further Stage 3 complaint in 2018. There were no Stage 3 complaints heard in 2017.

In 2019, however, the Panel heard 5 Stage 3 complaints and a further 3 Stage complaints between March and May 2020. The Board asked officers to investigate the reason for the increase in Stage 3 complaints and, in response, a Resident Board Member is now

included in the Customer Experience Sub-Group which forms part of the governance arrangements for the Repairs, Maintenance & Investment Contract with Osborne. The Scrutiny Group was also established to look more closely at complaints relating to the repairs service.

At its meeting on 30 June, the Resident Board discussed the outcome of Panel meetings and the lack of response to their recommendations by Osborne. A copy of the relevant notes from that meeting are shown below:

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| 5.  | <b>Stage 3 Complaints</b>  |           |
| 5.1 | NP explained that the Board had received a number of Stage 3 complaints in recent months however the policy/procedure does not include how Panel members should be involved after the Panel meeting has concluded. A number of Board members have commented that they would like to monitor how their recommendations have been implemented. NP noted that, following the last Complaints Panel meeting, CG had contacted the complainant which had been much appreciated. NP asked how the Board's role might be following Complaints Panel meetings. |           |
| 5.2 | IF agreed that the Board should follow up on complaints to check that the Complaints Panel's recommendations have been implemented or, if not, why not and it should not be the complainant's responsibility to do this. IF explained that, in his own experience, the recommendations had not been followed and he'd had to chase work up and he felt that this should be the Council's responsibility as his landlord.   |           |
| 5.3 | TP felt that the Council and Osborne should acknowledge the Panel's recommendations within a set timescale and demonstrate a commitment to responding to the recommendations by setting out the actions they would be taking in response. TP noted that, if the Panel's recommendations were rejected, a clear rationale for this should be sent to the Panel members, in writing.   |           |
| 5.4 | TP felt that an acknowledgement of the Panel's recommendations should be sent to Panel members almost immediately and a full response should be sent within 7 days or, if the complaint was more complex, an indication of when a full response would be sent should be communicated to the Panel members.   |           |
| 5.5 | OF noted that he would like to see a log of all Stage 3 complaints and Panel recommendations presented to the Board.   |           |
| 5.6 | BR agreed with TP's suggestions and noted that it would be useful to formalise this which KL agreed to do.   |           |
| 5.6 | NP summarise the discussion noting that KL would circulate Complaints Panel minutes to all Board members and maintain a log detailing the actions to be taken (or not) in response to the Panel's recommendations.   | <b>KL</b> |
| 5.7 | TT added that by the time a complaint reaches Stage 3 of the procedure the   |           |

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|  | outcome should be clear however it was essential that there is a commitment to respond to the Panel's recommendations within 10 working days setting out the timescales within which action would be taken to resolve the complaint. KL noted the need to reflect the content of the 2018 Green Paper in relation to consumer redress when drafting the procedure. | <b>KL</b> |
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At the Resident Board meeting held on 18 August 2020, residents further discussed their concerns about the Stage 3 complaints process and the lack of follow up once the Panel had concluded and made their recommendations.

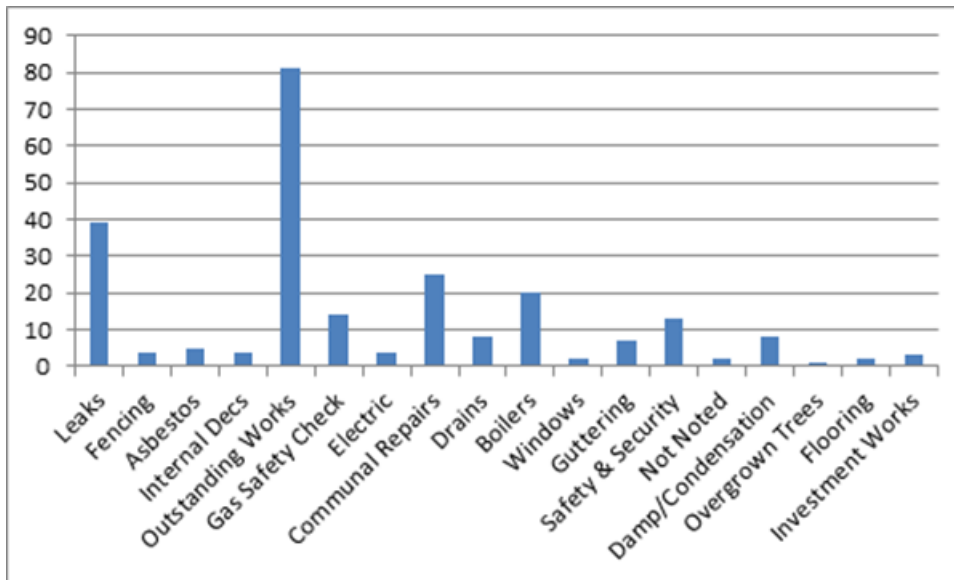
It should be noted that the complaints process is currently under review following the publication, last month, of the Housing Ombudsman's new Complaints Handling Code. The review includes the following groups:

- Internal SBC Task & Finish Group led by Liz Jones, Neighbourhood Manager
- Resident Complaints Scrutiny Group – primarily looking at repairs relating to the repairs and maintenance service but including the complaints process itself
- Customer Experience Sub-Group which forms part of the governance arrangements of the RMI contract
- The Resident Board

At the meeting, the Chair summarised the Board's main concerns in relation to complaints:

- i. The complainants are talking about work that had just not been done month after month after month
- ii. When work was completed there were questions about the quality of the work
- iii. There had been instances where Osborne had questioned the honesty of complainants and insinuating that they were lying
- iv. Instances of Osborne assuring complainants that they would attend or call back and not doing so
- v. Osborne's Operations Manager making promises and not turning up
- vi. Complaints about residents missing appointments when they were at home waiting
- vii. Significant and persistent delays in carrying out repairs or responding to complaints being made
- viii. Stage 3 complaints will have been through Stages 1 and 2 without being resolved and then remain unresolved at Stage 3

Below is a breakdown of complaints (not including Stage 3) relating to the RMI contract:



A copy of the confidential complaints log with details and status of Complaints Panel recommendations has been circulated separately to the NCS Panel.

## Conclusion

This report has been written at the request of the Neighbourhoods & Community Services Scrutiny Panel and sets out the views of the Resident Board in relation to Stage 3 complaints and the Complaints Panel process.

The Panel is invited to note and comment on the content of this report.