Tendring
District Council

ANNUAL HOUSING COMPLAINTS AND SERVICE IMPROVEMENT REPORT
FOR 2024/2025

ANNUAL HOUSING COMPLAINTS AND SERVICE IMPROVEMENT REPORT

This report outlines the complaints received in relation to housing services during the financial year 1 April 2024 to 31 March 2025 and covers the following;

Number of complaints recorded;

Number of complaints handled at each stage of the process;

Complaints by service area;

Complaints performance.

Background

The Council has retained its housing stock and currently manages over 3,000 homes as well as more than 400 leasehold properties and 389 garages.

In July 2020, the Housing Ombudsman published a new Complaint Handling Code providing a framework for high-quality complaint handling and greater consistency across landlord's procedures. Its aim was to enable landlords to resolve complaints raised by their residents quickly and to use the learning from complaints to drive service improvements

The Social Housing (Regulation) Act 2023 introduced new social housing consumer standards that contain specific expectations registered providers of social housing must comply with and detail the outcomes that providers are expected to achieve.

In relation to complaints, the Transparency, Influence and Accountability Standard states that,

Registered providers must ensure their approach to handling complaints is simple, accessible and publicised.

Registered providers must provide accessible information to tenants about:

a) how tenants can make a complaint about their registered provider;

b) the registered provider's complaints policy and complaints handling process;

c) what tenants can do if they are dissatisfied with the outcome of a complaint or how a complaint was handled; and

d) the type of complaints received and how they have learnt from complaints to continuously improve services.

The Housing Ombudsman Service provides redress for individual tenant complaints. Its Complaints Handling Code became statutory from 1st April 2024 and this provides a single, robust set of standards for complaints procedures to be accessible, fair and efficient. A legal duty is also placed on the Ombudsman to monitor compliance with the Code, regardless of whether it receives individual complaints from residents about a landlord.

The revised Complaint Handling Code requires landlords to produce an annual complaints performance and service improvement report for scrutiny and challenge and tis includes a requirement to carry out a self-assessment against the Code.

This report covers the period from 1 April 2024 to 31 March 2025 and encompasses all complaints relating to the services that Tendring District Council provides as a landlord and that come under the remit of the Housing Ombudsman. This does not include complaints regarding homelessness, housing allocations or other local authority functions that come under the remit of the Local Government and Social Care Ombudsmam.

What is a complaint?

Based on the requirements of the Housing Ombudsman's Complaint Handling Code and as set out in our Housing Complaints Policy, a complaint is defined as:

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

A complainant does not have to use the word complaint for it to be treated as one.

Complaints can be made in any of the following ways:

- by filling in a Complaints form, which is available on our website and on request from any member of staff;
- by raising it with any member of our staff
- by emailing councilhousingcomplaints@tendringdc.gov.uk
- by phoning 01255 686868 or the direct number of the relevant housing team; or
- by visiting Reception at Pier Avenue in Clacton, which is open Monday, Tuesday and Wednesday from 10am to 1pm

Who can make a complaint?

A complaint can be made by:

- anyone who is or has been in a residential landlord/tenant relationship with the Council. This includes Council tenants and former tenants, leaseholders and shared owners. If the complaint is made by an ex-occupier they must have had a legal relationship with the Council at the time that the matter complained of arose;
- a representative of any of the people above who has that person's written consent to make a complaint on their behalf;
- a representative of any of the people above who does not have the capacity to give their consent to someone to act on their behalf. However, in these circumstances, we must be satisfied that the representative has the legitimate authority to act on the person's behalf; or
- a person with the legal capacity to make a complaint on behalf of any of the people above who is deceased.

The complaints process.

There are two stages of the process for handling complaints made about the Council in its capacity as a landlord and these are as follows:

- **Stage One**

An acknowledgement will be sent within 5 days of the Council receiving a complaint about its housing services and this will set out the understanding of the complaint and the outcomes being sought. It also confirms who will be responsible for investigating the complaint

.

A thorough response to the complaint should then be sent within 10 working days of the acknowledgment. If this is not going to be possible, the Investigating Officer will contact the complainant to explain why and will also agree a date by which a response will be sent. This will not exceed a further 10 working days unless there are exceptional circumstances. The contact details for the Housing Ombudsman will also be provided at this time as a source of advice or support.

Our response to a Stage 1 complaint will contain the following, in clear plain language:

- The complaint stage
- The complaint definition (that is what the complaint is about and the outcome wanted)
- The decision about the complaint
- The reasons for any decisions made
- The details of any remedy offered to put things right
- Details of any outstanding actions
- Details of how to escalate the matter to Stage 2 if required
- Details of how to contact the Housing Ombudsman for advice and assistance

The Council will only refuse to escalate a complaint to Stage 2 if there is a valid reason for doing so and, if this is the case, an explanation will always be provided.

- **Stage Two**

An acknowledgement will be sent within 5 days of the Council receiving a Stage 2 complaint about its housing services and this will set out the understanding of the complaint and the outcomes being sought. It will also confirm who is responsible for investigating the complaint..

A thorough response to the complaint should then be sent within 20 working days of the acknowledgment. If this is not going to be possible, the Investigating Officer will contact the complainant to explain why and will also agree a date by which a response will be sent. This will not exceed a further 20 working days unless there are exceptional circumstances. The contact details for the Housing Ombudsman will also be provided at this time as a source of advice or support.

The Investigating Officer will not be the same person that investigated a complaint under Stage 1 to ensure that their investigation is independent and objective.

The response to a Stage 2 complaint will contain the following, in clear plain language:

- The complaint stage
- The complaint definition (that is what your complaint is about and the outcome you are seeking)
- The decision about the complaint
- The reasons for any decisions made
- The details of any remedy offered to put things right
- Details of any outstanding actions
- Details of how to contact the Housing Ombudsman for advice and assistance

Stage 2 is the final stage of investigation under the Council's Housing Complaints Policy.

- Housing Ombudsman

The Housing Ombudsman is a free (to residents), independent and impartial service. Their work is funded through landlord subscription fees. They investigate complaints and resolve disputes involving the tenants and leaseholders of social landlords.

Residents can take a complaint to the Housing Ombudsman Service for investigation after going through the landlord's complaint process, if the issues have not been resolved. The service also helps where the landlord is not responding to a complaint they've received. The Ombudsman has the power to make orders to landlords, this might mean ordering the landlord to apologise, carry out works or pay compensation. Please see the Housing Ombudsman website for more information.

The Housing Ombudsman Service is the final stage of the complaints process and they will consider whether a complaint comes within their jurisdiction, investigate as appropriate and come to a decision about the complaint.

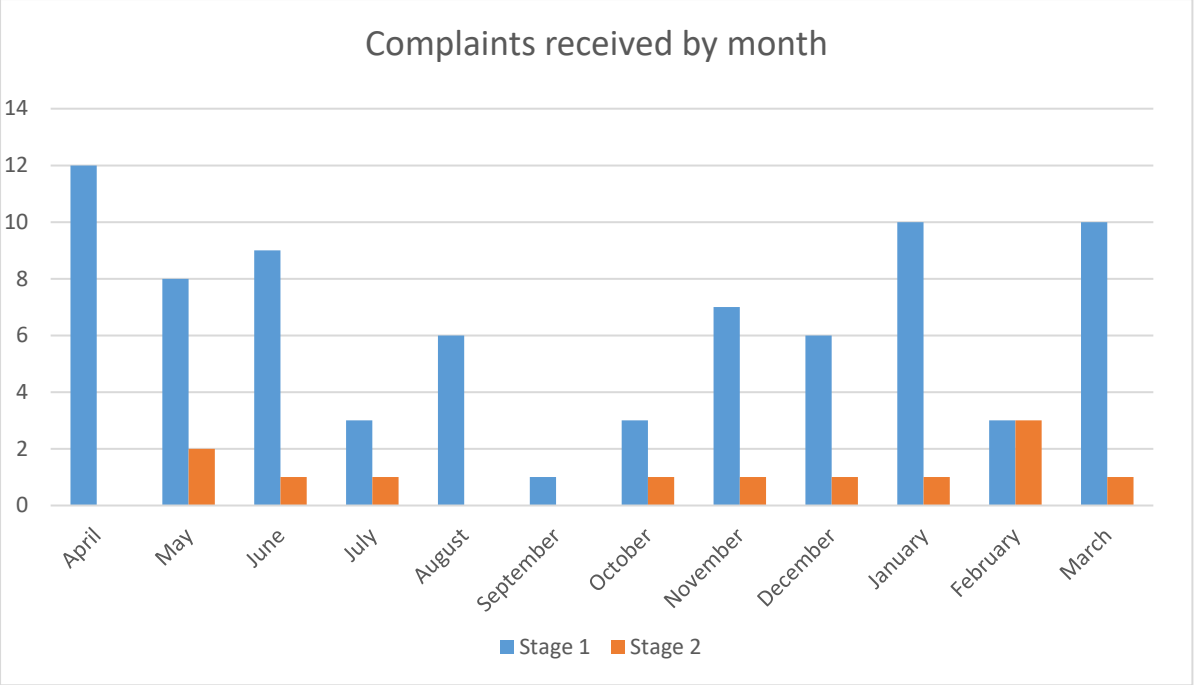
The Housing Ombudsman Service can also provide advice and support throughout the progress of a complaint through the Council's Housing Complaints Policy

Complaints received

Complaints received	Number
Total number of complaints received: April 2024 to March 2025	90

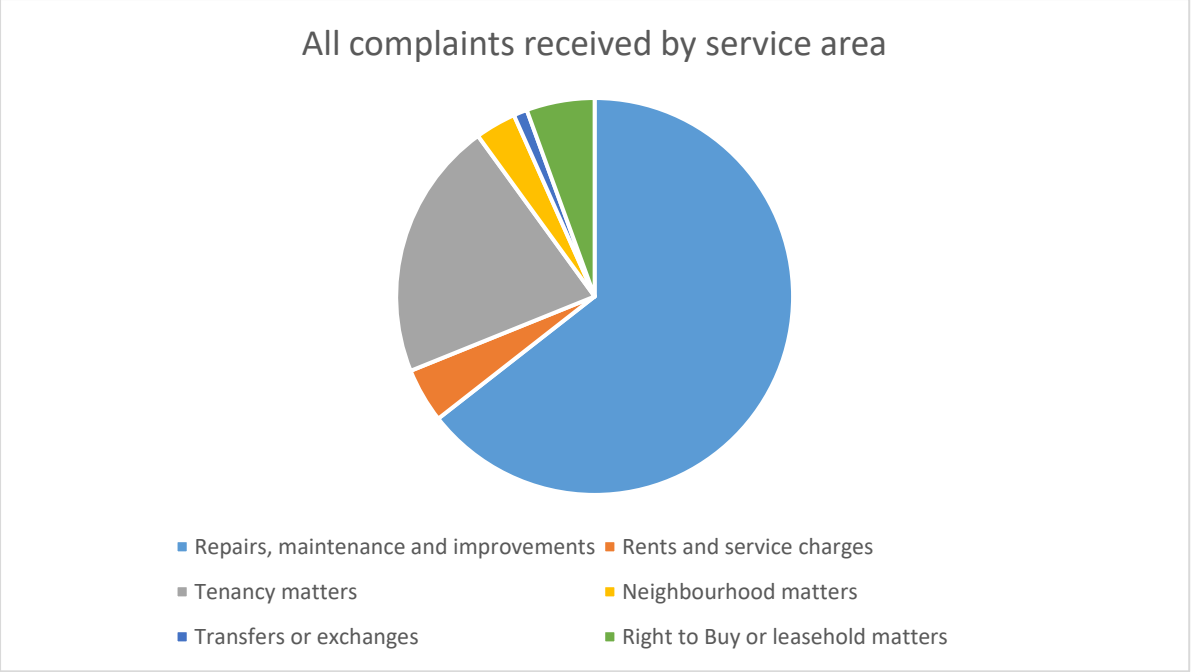
Complaints received by stage

Stage 1	78
Stage 2	12
Total	90



Complaints received by service area

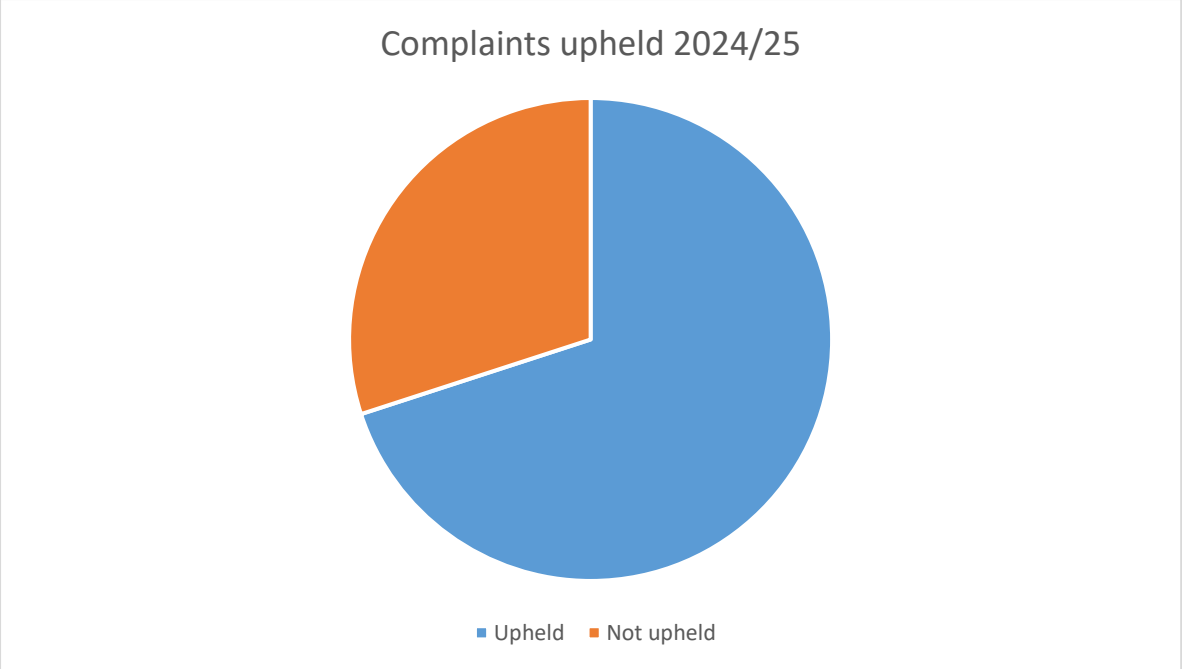
Service area	Stage 1	Stage 2
Repairs, planned maintenance or improvements	52	6
Rents or service charges	4	0
Tenancy matters	15	4
Neighbourhood issues	3	0
Transfers or mutual exchanges	1	0
Right to Buy or leasehold matters	3	2
Total	**78**	**12**



Outcome of complaints

Stage 1	Upheld	Not upheld
Repairs, planned maintenance and improvements	45	7
Rents or service charges	2	2
Tenancy matters	6	9
Neighbourhood issues	2	1
Transfers / mutual exchanges	0	1
Right to Buy or leasehold matters	1	2
Total	**56**	**22**

Stage 2	Upheld	Not upheld
Repairs, planned maintenance and improvements	4	2
Rents or service charges	0	0
Tenancy matters	3	1
Neighbourhood issues	0	0
Transfers / mutual exchanges	0	0
Right to Buy or leasehold matters	0	2
Total	**7**	**5**



Complaints response times

Response to Stage 1 Complaint sent within Code timescales - 10 working days unless extended as permitted in the Code	93.6%
Response to Stage 2 Complaint sent within Code timescales – 20 working days unless extended as permitted in the Code	91.7%

Use of the extension periods permitted in the Code

Stage 1	Number	Percentage
Response to Stage 1 Complaint sent within Code timescales without the use of the 10 day extension permitted in the Code	51	69.9%
Response to Stage 1 Complaint sent within Code timescales with the use of the 10 day extension permitted in the Code	22	30.1%

Stage 2	Number	Percentage
Response to Stage 1 Complaint sent within Code timescales without the use of the 20 day extension permitted in the Code	8	72.8%

Response to Stage 1 Complaint sent within Code timescales with the use of the 20 day extension permitted in the Code	3	27.2%

Tenant Satisfaction Measures

From 1 April 2023, all social housing providers have been required to start collecting data for tenant satisfaction measures on areas such as repairs, safety checks and complaints.

The measures are aimed at helping improve standards for people living in social housing, by:

- Providing visibility, letting tenants see how well their landlord is doing. And enabling tenants to hold their landlords to account

- Giving the Regulator insight into which landlords might need to improve things for their tenants

There are 22 Tenant Satisfaction Measures and, in relation to complaints, the relevant measures are:

- Satisfaction with the landlord's approach to handling of complaints (measured by tenant perception survey)

- Complaints relative to the size of the landlord (measured by landlord's management information)

- Complaints responded to within Complaint Handling Code timescales (measured by landlord's management information)

The Council's performance in relation to these indicators in 2024 2025 was as follows:

Measure	**Performance**
Satisfaction with the landlord's approach to complaint handling	48.8%
Complaints received per 1,000 homes: Stage 1 Stage 2	 25.3 3.9
Complaints responded to within Complaint Handling Code timescales Stage 1 Stage 2	 93.6% 91.7%

Any findings of non-compliance the Housing Ombudsman's Code

The Social Housing (Regulation) Act 2023 places a duty on the Housing Ombudsman to monitor compliance with its statutory Complaint Handling Code. This means that the Housing Ombudsman is required to ensure that all landlords meet the standards set out in the Code for complaint handling. To assist with this, all landlords are required to submit their self-assessment by 30 September each year (previously 30 June).

Should the Housing Ombudsman identify any concerns with a landlord's compliance with the Code, they will engage with them to bring them back into compliance promptly. If there is

evidence of ongoing failures in compliance, the Ombudsman will consider using their wider powers including Complaint Handling Failure Orders.

The Council's Housing Complaints Policy was reviewed and revised in April 2024 to ensure that it meets the requirements of the Complaints Handling Code.

Housing Ombudsman determinations

During the financial year 2024/25, the Housing Ombudsman determined two complaints received by it and found that there was maladministration in each of these cases.

A summary of each case is given below:

Complaint 1 - 202302247

This complaint concerned a tenant who had raised allegations of Anti-Social Behaviour by their neighbour. There were counter-allegations from the neighbour against the complainant. The allegations covered a lengthy period of time and, at times, the alleged incidents and counter allegations overlapped with processes to respond to them.

The Housing Ombudsman did not find maladministration in the Council's handling of the alleged anti-social behaviour reporting. Notwithstanding this, the Housing Ombudsman did highlight the absence of consideration by the Council of the use of CCTV to evidence the allegations and/or the counter allegations. Likewise there was no evidence of consideration of an Acceptable Behaviour Contract. In addition, the Housing Ombudsman raised questions about a possible risk assessment and liaison with Health Partners as part of partnership working given vulnerabilities in this case.

The Housing Ombudsman found maladministration in the handling by the Council of complaints about its response to the anti-social behaviour reporting. The full application, in this matter, of the Housing Ombudsman's Complaints Code and the Council's own procedures for housing complaints was questioned in so far as timescales and the content of responses provided were concerned.

In particular, the Housing Ombudsman states that the Stage 2 complaint response did not "address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate". It also did not provide the resident with a decision on the complaint, the reasons for the decisions made, the details of any remedy offered to put things right or details of any outstanding actions.

In recognition of the stated maladministration and the distress that the complainant will have experienced, the Housing Ombudsman recommended a payment of £300 to the complainant.

The decision to authorise the payment was made on 14 August 2024 and the tenant has received the necessary payment.

Complaint 2 - 202116817

In this case, the tenant raised serious concerns around asbestos tiles removal at the property in 2019 and the use of an adhesive product in the tenanted flat by the Council's contractor when refurbishing the kitchen. In exchanges with the tenant, further concerns about insulation at the property and the alleged presence of rats was raised. The tenant was also seeking to be relocated to a new property. In respect of the removal of asbestos tiles.

The Housing Ombudsman's report states that there is no evidence to suggest that the Council had failed to manage appropriately the asbestos within the property. With regards to the

insulation, the Council confirmed that this was in line with the building standards at the time of construction. Fitting insulation retrospectively would be costly and challenging. The property was double glazed and had a reasonable amount of loft insulation.

However, in respect of the insulation element of the complaint, the Housing Ombudsman found there was no evidence to demonstrate any temperature testing (or space heating calculations) had been carried out in order for it to be confident that the situation in the property did not give rise to a hazard (using the Housing Health and Safety Rating System (HHSRS) hazard risk-based tool).

Concerning the stated rat infestation, this was reported to the Council on 16 May 2023 (albeit that the report suggested the rats had left). The evidence showed that pest control attended on a number of occasions between May 2023 and December 2023.

The final inspection report from 7 December 2023 identified that there was 'no new activity'. May 2023 – December 2023 was, the Housing Ombudsman states, a considerable amount of time to live with a rat infestation and the distress this caused. There is a recognition in the report that there have been visits to the property when staff and contractors have been denied access by the tenant.

The Housing Ombudsman ordered in this case that the Council:

a. Carry out an appropriate inspection of the property to determine if the internal temperature is considered to be in line with HHSRS guidance.

b. Carry out a review of this case and its record keeping practices to establish what went wrong and ensure that its systems and processes are used effectively to ensure all contact from a resident is recorded and retained along with any dates of repairs visits.

c. Provide a written summary of the outcome to the resident and this Housing Ombudsman.

In addition the Housing Ombudsman recommended that the Council:

a. Pay the resident the £500 compensation it had previously offered, in recognition of rubbish left and poor cleaning of the kitchen following flooring works there;

b. Arranges an in person visit to the resident to discuss whether it is required to remove any damaged tiles containing asbestos. During this visit it should provide the resident with a detailed plan of how it intends to mitigate any risk if works are required.

The orders and recommended actions above have been undertaken by the Council, with the exception of the payment to the tenant. The decision to authorise the payment was made on 19 August 2024 and the tenant was contacted to make the necessary payment. The tenant has advised the Council that they are refusing the payment.

The tenant subsequently challenged the Ombudsman's findings and, following further investigation, the Housing Ombudsman:

a. Recommended that the landlord pay the resident the £500 compensation it offered, if not already done so, in recognition of its handling of the removal of the asbestos kitchen floor and the distress caused to the resident.

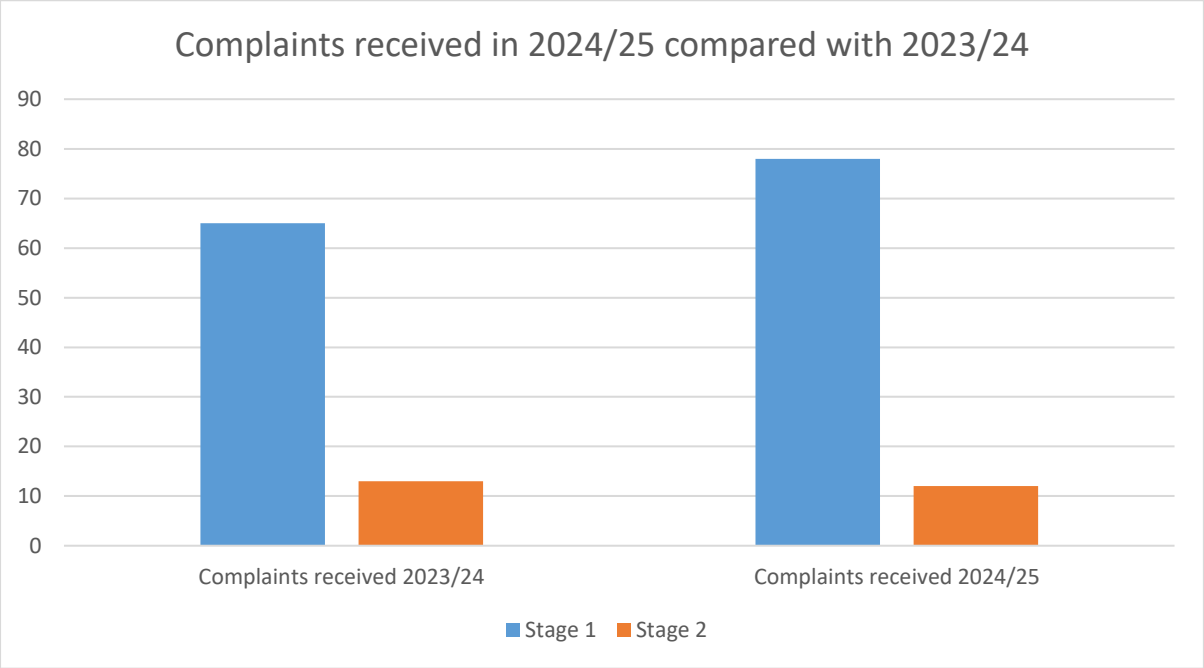
b. Ordered that the landlord pay the resident £250 compensation for the distress and inconvenience experienced with the rat infestation and the landlord's failure to resolve this issue in a more timely manner.

The tenant has continued to refuse the payment.

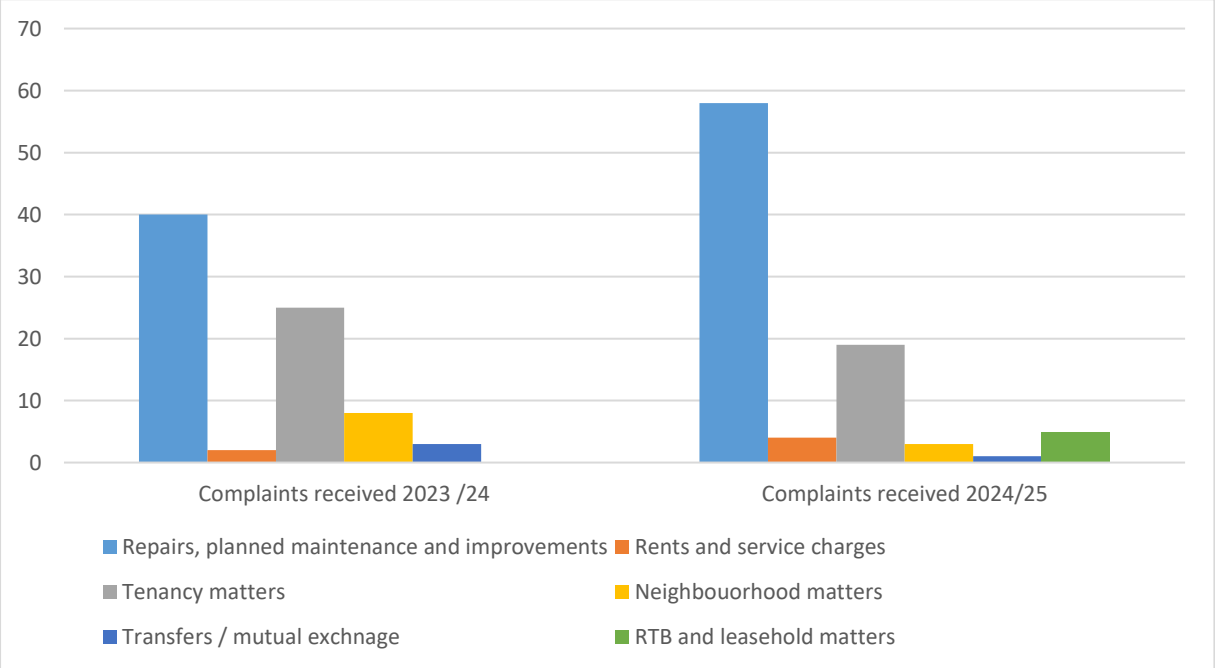
The Constitution (Article 12.03(a)) requires the Monitoring Officer to report to Cabinet (or to Council for non-executive functions) if any decision or omission has given rise to maladministration. These determinations were reported to Cabinet in September 2024.

Comparison with performance in previous year

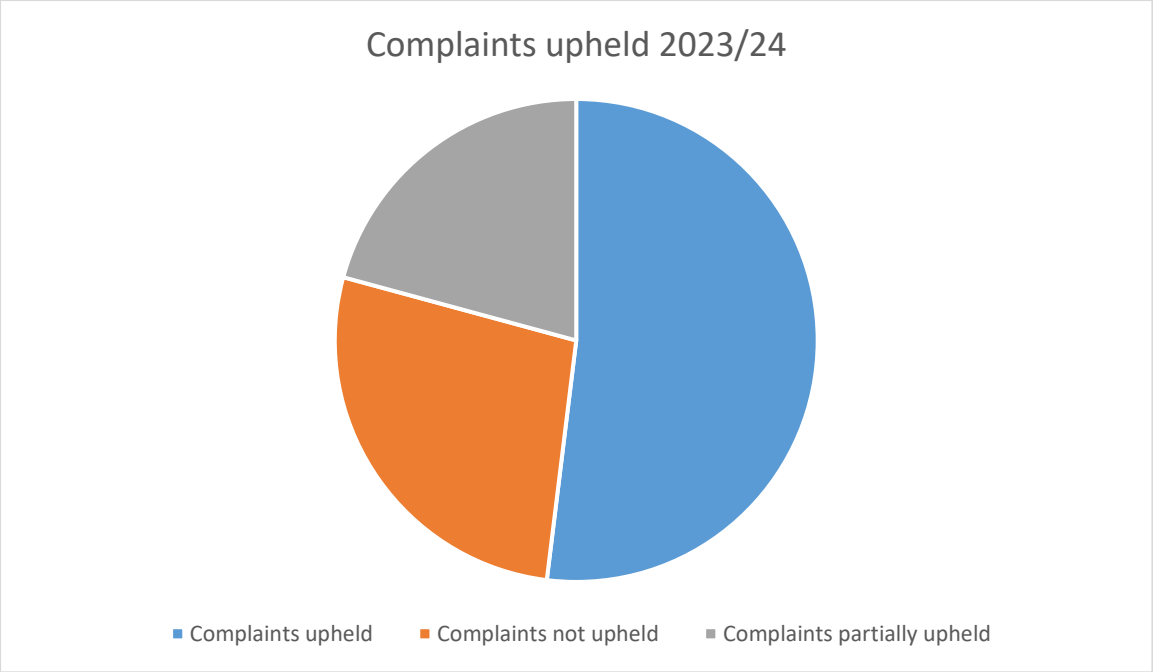
Complaints received

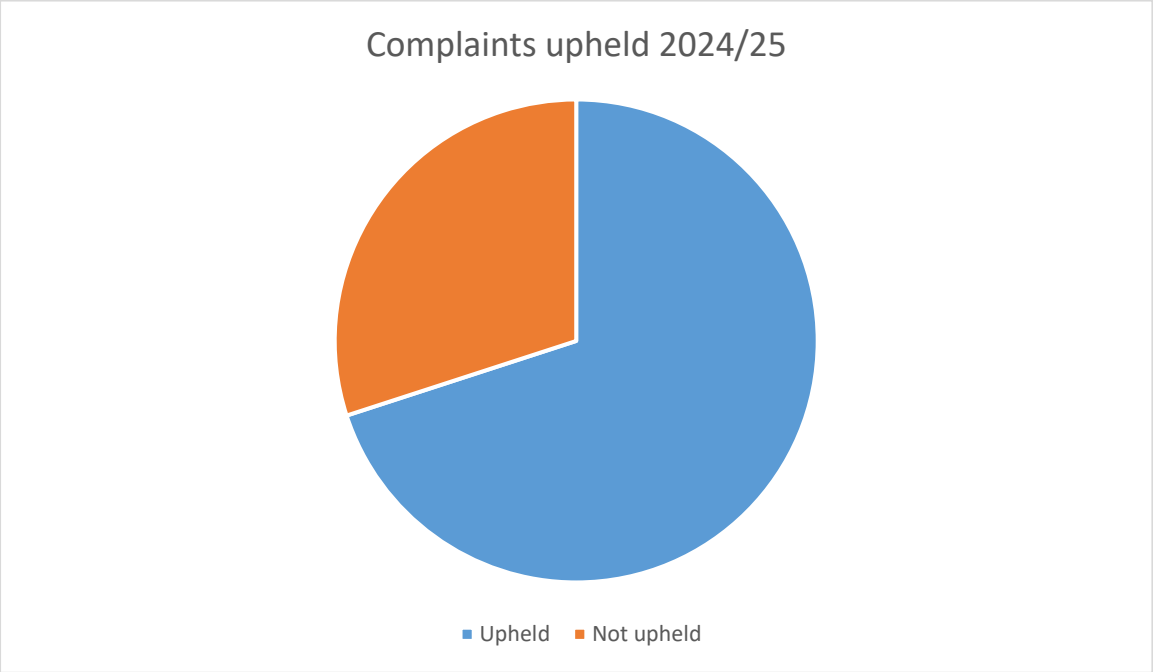


Complaints received by service area



Complaints upheld





In accordance with the implementation of the revised Complaint Handling Code from 1 April 2024, a complaint can no longer be recorded as partially upheld. If an organisation has got something wrong, it must record the complaint as being upheld, even if there are elements of the complaint it has not upheld.

Tenant Satisfaction Measures

Measure	2023/24	2024/25
Satisfaction with the landlord's approach to complaint handling	45.0%	48.8%
Complaints received per 1000 homes: Stage 1 Stage 2	 22.5 4.2	 25.3 3.9
Complaints responded to within Code timescales Stage 1 Stage 2	 73.9% 61.5%	 93.6% 91.7%

Service Improvements and Learning from complaints

Repairs

Systems have been put in place to enable more detailed monitoring of our contractors' performance to make sure they deliver the quality repairs service that our tenants deserve. The expectation is that this will result in more repairs being completed in a timely manner and to an improved standard. The Council also has an in house team that undertakes some repairs and this team is delivering an effective service to residents.

A new repairs reporting form has been developed and published on our website to help tenants and leaseholders to more accurately describe the repair that is needed in their property which will assist with the efficient and accurate raising of repair orders.

Complaint Handling

All Investigating Officers are regularly reminded of the requirements of the Complaints Handling Code and all complaint responses are reviewed on a regular basis to ensure compliance.

A new Housing Compensation Policy has been developed that takes into account the Housing Ombudsman's guidance in relation to remedies

There has been a significant improvement in the response time to complaints. For Stage 1 complaints, the percentage responded to within the Code timescales has increased from 73.9% in 2023 – 24 to 93.6% in 2024 – 25. For Stage 2 complaints, this figure has increased from 61.5% to 91.7%

Regular articles have been included in the Council's tenants newsletter, Tendring Reports, to advise tenants how to make complaints, how well the Council performed in handling complaints and the role of the Housing Ombudsman

Attitudes, Respect and Rights

We have developed the following policies in response to the requirements of the revised Code and the Housing Ombudsman's recommendations in the Spotlight report on Attitudes, Respect and Rights:

- Reasonable Adjustments Policy
- Vulnerability Policy
- Unacceptable Customer Behaviour Policy

Following the implementation of these policies, we are reviewing our approach to vulnerability and reasonable adjustments to ensuring that staff are clear on their roles and responsibilities and how our customers' requirements must be recorded and our services adapted to meet these needs. This is an area that requires more in-depth work and training for staff.

We have also developed a new Tenant Involvement Policy that provides a wide range of opportunities for become involved to challenge and scrutinise our performance.

We have also commenced a programme of tenancy checks that will see all tenants visited once every two years. This will ensure that the Council is better aware of the needs and expectations of its tenants and their households.

Anti Social Behaviour and Neighbourhood Management

In May 2024 we revised our Housing Anti-Social Behaviour Policy to set out our approach to deterring and tackling anti-social behaviour(ASB) in the neighbourhoods where we provide social housing. The policy detail show we will provide prompt and appropriate action in response to ASB and hate incidents, having regard to the full range of tools and legal powers available to us and by signposting victims and perpetrators to agencies who can give appropriate support and assistance.

We have also introduced a new Neighbourhood Management Policy that sets out how we will maintain Council owned by working with residents and partner agencies to keep neighbourhoods safe and clean.

Ombudsman determinations

Learning points from the Housing Ombudsman determinations relate to evidencing consideration of options available in relation to anti-social behaviour and the vulnerabilities of tenants and that complaint responses (separate from service requests) must fully address the requirements of the relevant Ombudsman's Code and the Council's own procedures.