

Birmingham City Council



Title: Annual Complaints and Service
Improvement Report – 2023-24

Date: 30th June 2024

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1. Executive Summary

- 1.1 The Housing Ombudsman updated their Complaint Handling Code in February 2024, implemented in April 2024.
- 1.2 One of the new requirements of the Housing Ombudsman, is that Council must make an Annual Submission to the Housing Ombudsman by 30th June every year, including the publication of four key elements:
- i. The Council's self-assessment against the Complaint Handling Code
 - ii. The annual Complaint Performance and Service Improvement Report
 - iii. The governing body's (Cabinet) response to the Service Improvement Report
 - iv. The Council's Complaints Policy.
- 1.3 Publication of the Complaint Performance and Service Improvement Report is both a requirement of the new Complaint Handling Code (element 8.1 of the Complaint Handling Code) as well as the evidentiary submission to the Housing Ombudsman.
- 1.4 This report includes the necessary information required by the Housing Ombudsman to fulfil requirement 1.1(ii) above, as confirmed in the Complaint Handling Code:
- i. The annual self-assessment against the Complaint Handling Code.
 - ii. A qualitative and quantitative analysis of complaint handling performance, including a summary of complaints the Council has refused to accept.
 - iii. Any findings of non-compliance with the Code by the Housing Ombudsman.
 - iv. The service improvements made as a result of learning from complaints.
 - v. The Housing Ombudsman's annual performance report.
 - vi. Any other relevant reports or publications from the Housing Ombudsman.
- 1.5 In order to evidence compliance with 1.1(iii) above, this report will be shared with the Council's Cabinet for review and comment.
- 1.6 A copy of the formal response, and any necessary changes to this report as a result of the formal response, will be submitted to the Housing Ombudsman and shared on the Council's website.

2. Background

- 2.1 The Council welcomes feedback from citizens as an opportunity to review and improve the services we provide. As the largest “retained stock” landlord in the UK, we recognise that things will go wrong from time to time.
- 2.2 It is important that tenants and leaseholders are able to hold us to account and that complaints are reviewed independently and impartially.
- 2.3 The Council are a member of the Housing Ombudsman and welcome the implementation of the new Complaints Handling Code. The Council recognise that adherence to the Code is a vital aspect of achieving compliance with the Housing Ombudsman’s expectations around complaint handling.
- 2.4 The Council also recognise that the Housing Ombudsman’s approach to Complaints Handling is endorsed by the Regulator of Social Housing, in terms of the Council’s overall compliance against the Consumer Standards.
- 2.5 The Social Housing (Regulation) Act, which became legislation in 2023, aims to strengthen landlord performance and resident involvement within social housing via the four new consumer standards, effective from April 2024:
- i. The Safety and Quality Standard
 - ii. The Tenancy Standard
 - iii. The Neighbourhood and Community Standard
 - iv. The Transparency, Influence and Accountability Standard
- 2.6 The Council are currently in a formal engagement process with the Regulator of Social Housing (since May 2023) following recognised breaches against the Home Standard (now Safety & Quality Standard) and Tenant Involvement & Empowerment Standard (now Transparency, Influence and Accountability Standard).
- 2.7 Between January 2023-February 2024, the Council were also in a formal engagement with the Housing Ombudsman. This followed the publication of their Paragraph 49 report on the Council in January 2023. Formal engagement ceased in February 2024 following confirmation from the Housing Ombudsman that all relevant recommendations had been actioned to a satisfactory standard.
- 2.8 The Social Housing (Regulation) Act strengthened the powers of both the Regulator of Social Housing (RSH) and the Housing Ombudsman, including powers of referral from the Housing Ombudsman to the RSH and a proactive inspection regime replacing the previous reactive approach.
- 2.9 This report sets out the Council’s performance in relation to complaints. The report focuses specifically on complaints that the Housing Ombudsman governs (Housing Management and Asset Management) through 2023-24.

2.10 The report also sets out service improvements delivered following learning from complaints and through engagement with the Housing Ombudsman and Regulator of Social Housing.

2.11 All compliments, comments and complaints received by the Council are managed via the corporate complaints team, in line with the Council's Compliments, Complaints and Comments Policy [BCC Compliments, Comments and Complaints Policy | Birmingham City Council](#).

2.12 In line with the Housing Ombudsman's Complaint Handling Code, the Council operates a two-stage complaint process; following the investigation and review of complaints under this process the Council signposts tenants who remain dissatisfied with the outcome to either the Housing Ombudsman or the Local Government and Social Care Ombudsman.

3. Summary of Complaints Received in 2023-24

3.1 The below table provides a summary of the volume of complaints received across the two relevant City Housing service areas – Asset Management and Housing Management, in 2023-24.

Service Area	Stage 1	Stage 2	Total
Housing Management	784	145	929
Asset Management	4685	429	5114
Total	5469	574	6043

3.2 The majority of complaints sit with Asset Management, and these are predominately linked to the delivery of the Repairs & Maintenance service.

3.3 To put this into context, the Repairs & Maintenance service deliver in excess of 250,000 repairs per year and complaints make up circa 3% of the total volume of repairs undertaken.

3.4 The Council seeks to use Stage 1 complaints as an opportunity to resolve tenants' issues and to offer early and effective remedy in line with the Complaint Handling Code.

3.5 As such, we closely monitor the number of complaints escalated from Stage 1 to Stage 2 as evidence of our success in resolving issues as soon as possible. The table below summarises those complaints escalated from Stage 1 to Stage 2 both as a volume and as a percentage of Stage 1 complaints received.

Service Area	Stage 2	Stage 2 as % of Stage 1
Asset Management	429	8.39%
Housing Management	145	15.61%

3.6 Whilst we are satisfied that in most cases complaints are resolved satisfactorily at Stage 1, we would like to see a reduction in the number of cases being escalated to Stage 2 where possible.

3.7 **Section 6** outlines the work undertaken over the last 12 months to improve service delivery and prevent complaints from escalating through an early intervention approach.

3.8 As part of the complaint handling process, complaints are categorised at the point of resolution based on whether they were in the opinion of the complaint handler justified, partially justified or not justified.

3.9 The table below sets out the four most common reasons for determination of cases:

Service Area	Justified	Partly Justified	Not Justified	Resolved on receipt
Asset Management	27%	25%	28%	17%
Housing Management	16%	16%	56%	10%

3.10 The Council seeks to respond to all complaints received within the timescales set out by the Housing Ombudsman in the Complaint Handling Code, however there are cases where it is not possible to meet these timescales.

3.11 The Council has been operating with a historic backlog of complaints for several years, in February 2023 the backlog sat at 1598 whilst in April 2024, the backlog sat at 267. This shows considerable progress in managing complaints more efficiently and within appropriate timescales.

3.12 Where the Council is unable to meet the timescale for response, we will communicate this to the complainant and/or their representatives and negotiate an extension in time with the complainant.

3.13 The table below sets out the Council's compliance against the Housing Ombudsman's timescales of 10 days to respond to a Stage 1 complaint and 20 days to respond to a Stage 2 complaint (after completion of the 5-day triage timescale as per the Complaint Handling Code).

Month	Stage 1	Stage 2
April 2023	62%	56%
May 2023	65%	41%
June 2023	61%	66%
July 2023	66%	69%

August 2023	69%	60%
September 2023	74%	62%
October 2023	60%	57%
November 2023	71%	48%
December 2023	71%	39%
January 2024	70%	60%
February 2024	70%	74%
March 2024	72%	64%
April 2024	70%	65%
Average	68%	59%

3.14 Responding to complaints within policy timescales has been a considerable challenge over the 2023/2024 period. This is because the service has been focusing on reducing the historic backlog, affecting the number of resources available to respond to new complaints being made.

3.15 The table below shows the reduction in the backlog over the same period, which does provide some explanation around the speed in which the Council is able to respond to new complaints.

Month	Number of overdue complaints
April 2023	1864
May 2023	1684
June 2023	1520
July 2023	1321
August 2023	966
September 2023	908
October 2023	857
November 2023	849
December 2023	882
January 2024	913
February 2024	773
March 2024	462
April 2024	267
May 2024	237

3.16 It is anticipated once the backlog reaches a business as usual position, that management of the complaint response times will significantly improve as the resources within the service can focus on new cases only instead of having to manage the flow of both.

3.17 Complaints are categorised on receipt according to the relevant service area and type of issue reported by the complainant. The table below sets out the top complaint reasons across the relevant service areas in 2023-24.

Service Area	Reason 1	Reason 2	Reason 3
Asset Management	Service Quality- 53%	Service Failure 16 %	Appointments 5%
Housing Management	Service Quality- 37%	Service Failure 20%	Staff Conduct 9%

3.18 To ensure services are addressing the reasons for complaints and are learning from them, each service area has a root cause analysis session once a month whereby the themes from complaints and potential learning points are presented and cascaded.

3.19 From a repair's perspective, learning from complaints is fed directly into quarterly Service Improvement Groups (SIGs) with repairs and maintenance contractors. This means that they have a direct opportunity to learn from service failure and cascade this down to their operational teams.

3.20 The Council sets out within the Compliments, Comments and Complaints Policy (pages 5-6) those exceptions to the policy where a complaint will not be accepted. The below table shows where these exceptions were applied in 2023-24.

Exception Reason	Housing Management	Asset Management	Total
Appeal not a complaint – Housing, Parking, School Admissions, Social Care etc.	0	4	4
Complaint regarding issue more than 12 months old.	0	5	5
Complaint about Council policy.	1	4	5
Complaint not for BCC.	27	35	62
Complaint subject to legal proceedings.	0	9	9
Duplicate complaint.	124	472	596
Enquiry not a complaint.	15	19	34
Further information not received from complainant.	9	6	15
Insurance Claim.	0	3	3
Name/address not provided.	173	69	242
Refer to statutory process.	7	5	12
Representative not authorised to act on behalf of complainant.	8	17	25
Same complaint already dealt with.	3	12	15
Same complaint already investigated by Ombudsman.	0	1	1

Service request not a complaint.	788	176	964
Total	1155	837	1992

4. Engagement with the Housing Ombudsman

- 4.1 In January 2023, the Housing Ombudsman published a special report (Paragraph 49) into the Council’s handling of repairs, complaints, compensation, and record keeping. There followed a period of formal engagement with the Housing Ombudsman from January 2023-February 2024.
- 4.2 The Council have improved performance across these service areas and evidenced these improvements to the Housing Ombudsman throughout. In February 2024, the Housing Ombudsman confirmed the end of any formal engagement due to improved performance within the Council.
- 4.3 The Housing Ombudsman supported the Council through the improvements required which has strengthened the relationship and engagement across both organisations. This was demonstrated by the jointly hosted ‘Meet the Ombudsman’ event that took place in August 2023.
- 4.4 The contents of the special report was very disappointing and highlighted aspects of service failure that undoubtedly damaged the relationship between residents and the Council. As a result, the Council have implemented regular ‘tenant talk’ sessions across local ward areas where residents are able to come and express their concerns to service leads who are able to make decisions and deal with them accordingly.
- 4.5 Section 6 breaks down the operational improvements the Council have made following the special report.
- 4.6 In October 2023, the Housing Ombudsman published its Annual Complaints Review for 2022-23. This report confirmed that for the first time the Housing Ombudsman handled in excess of 5000 complaints, up from 28% in the previous year. The Housing Ombudsman also highlighted a “sharp increase of severe maladministration findings” across all landlords in the previous year. The overall “maladministration” rate nationally rose from 43% to 55% however this rate was significantly higher for local authorities at 62%, compared to 50% for housing associations. The number of “no maladministration” findings nationally dropped by 20% over the same period. The Housing Ombudsman highlighted the resource pressures on local authorities as a contributory factor to this disparity – in particular the inability for some landlords to offer financial redress in resolution of complaints.
- 4.7 The Housing Ombudsman also noted that complaints relating to property condition accounted for over a third of all Ombudsman findings, with “maladministration” findings rising from 39% to 54% nationally. Complaint handling, the second largest area of complaint to the Ombudsman, had a “maladministration” rate of 76% nationally, with

“Knowledge and Information Management” (record-keeping) having the highest “maladministration” rate overall of 79% nationally.

- 4.8 The increase in Ombudsman cases has been a national challenge and has been a rising trend following the Grenfell disaster in 2017 where the Housing Ombudsman have worked hard to raise awareness of what they do, encouraging residents to utilise their services where required. The Council hosted a “Meet the Ombudsman” event in August 2023 and continues to host “Tenant Talks” along a similar format each quarter.
- 4.9 From a Birmingham perspective, the Housing Ombudsman completed a total of 34 determinations, with 54 total findings throughout 2022/2023. 46 determinations found maladministration which can relate to severe maladministration, maladministration, or service failure.
- 4.10 Following the national trend, Birmingham’s maladministration rate went up from 54% in 2021/2022 to 85% in 2022/2023; the Council was one of 91 landlords nationally with maladministration rates over 50%, and one of 25 landlords nationally with a maladministration rate over 75%. The overall maladministration rate for landlords in the Midlands was 51%.
- 4.11 The service has explored why this level of maladministration was identified. It is important to understand the history to make sure we can prevent this continuing moving forward and a summary of contributing factors are set out below:
- 4.12 **Decent Homes Standards-** the Council’s HRA Business Plan, approved at Cabinet in January 2024 documents the high-levels of non-decent homes within the Council stock portfolio and the investment required over the next 8 years. Whilst this is ongoing, the Council expects to see high-levels of complaints related to the physical quality of resident’s homes and will accelerate investment as quickly as possible, ensuring residents live in safe, warm and sustainable homes.
- 4.13 **Capability and Capacity-** services in the Asset Management side of the business lack the capacity to appropriately manage the performance of repairs & maintenance contractors. Within the Council’s HRA Business Plan, provision has been made for an Asset Management service re-design, enabling the increase in resources needed to effectively manage contractor performance and improve resident satisfaction.
- 4.14 **Historic Backlogs-** as highlighted in previous sections of this report, the service had been carrying a historic backlog of complaints for several years. Residents were facing long delays for complaints responses, and this increased the number of maladministration determinations made by the Ombudsman. Significant progress has been made in reducing backlogs throughout 2023/2024 to enable the service to be more sustainable.

- 4.15 **Our Procurement Approach-** the Council's re-procurement of repairs & maintenance service was due to commence in April 2024. The procurement approach did not attract sufficient competition and impacted the ability for the service to deliver a model that was value for money for our residents. The decision was made to pause the procurement and appoint contractors for an interim period, enabling a full re-procurement process for April 2026, taking in to account the Housing Ombudsman's recommendations within the special report.
- 4.16 **Publicity-** following the Grenfell tragedy, the Housing Ombudsman have reinvigorated their communications approach, raising awareness of their services, making sure that residents know how to approach them when required. This has been amplified even further following the death of Awaab Ishak, understandably reducing resident's confidence in social housing providers as sector.
- 4.17 The Council's overall relationship with the Housing Ombudsman is transparent, collaborative and has been instrumental in supporting the service to progress some of the improvements made within the service.

5. Oversight of Complaints

- 5.1 The Council operates a corporate complaints function that sits outside of the Directorate, and all complaints are dealt with by this team, making sure responses are objective and impartial. This enables the Council to have robust and consistent oversight of complaints received, themes and root causes and quality and consistency of responses, in line with the Complaint Handling Code.
- 5.2 Complaints performance within the City Housing directorate is reported on a monthly basis to the Directorate Management Team (DMT) as well as to the Cabinet Member(s) with responsibility for Housing and Complaints.
- 5.3 Complaints performance is also reported quarterly to the Council's Overview & Scrutiny Committee who oversee the Directorate's regulatory engagement.
- 5.4 Additionally, complaints performance is reported to the Corporate Leadership Team, ensuring that senior management have a current and comprehensive picture of complaints performance at a service and Council level.
- 5.5 Following the Council's decision to issue a s.114 notice and subsequent intervention from Commissioners, complaints are reported monthly as part of the Housing Commissioner's Sub-Board process and form part of the Council's overall Improvement & Recovery Plan (IRP), regularly monitored and published for transparency.
- 5.6 Given that the Council is currently in formal engagement with the Regulator of Social Housing, complaints performance is also reported monthly as part of the formal monitoring process that exists between both parties.

6. Using Complaints Data to Improve Services

6.1 The Council welcomes complaints both as an opportunity to put things right where we have not acted in accordance with our policies and procedures, and in order to drive improvements to prevent repeat failures.

6.2 We value feedback from our tenants and leaseholders and use this to inform service improvements. The table below details some of the lessons learned from complaints in the last year and includes operational activities that have been undertaken following the release of the special report in January 2023.

Complaint theme/trend	Actions taken to improve services
<p>Record Keeping-we have identified that often complaint handlers are unable to respond to complaints in time/appropriately due to being unable to access records.</p>	<ul style="list-style-type: none"> • The Council has implemented a new record keeping framework to ensure that all contacts with tenants are recorded and that complaint handlers are able to access these records. • The Council has agreed a new interim repairs and maintenance contract with contractors for 2024-26, in which the Council's record keeping standards are embedded. • The Council is now quality-checking information provided by contractors regarding visits and repairs and is carrying out quality assurance reviews of data provided. • The Council has carried out a self-assessment against the Housing Ombudsman's Spotlight Report on Knowledge and Information Management and will use this to inform future improvements around record keeping and data quality.
<p>Compensation – we are aware that previously complaint handlers were unable to offer financial redress as part of Stage 1/Stage 2 resolution.</p>	<ul style="list-style-type: none"> • The Council implemented a new City Housing Compensation Policy in January 2024 in line with the Housing Ombudsman's code and Remedies Guidance. • A specific team have been recruited to ensure compensation is administered quickly, fairly and consistently in line with the Compensation Policy adopted in January 2024. • Complaint handlers have been trained to identify cases where financial redress may be relevant based on the details of the complaint, and to forward these for consideration of a compensation award in line with the code and the Housing Ombudsman's Remedies Guidance. • Compensation is now being awarded as part of the resolution of Stage 1/Stage 2 complaints in order to be compliant with the code and to offer effective redress for complaints in the first instance.

<p>Repairs - we are aware that a large volume of complaints relate to repairs performance, in particular missed appointments, repeat repairs and issues not being resolved on the first visit.</p>	<ul style="list-style-type: none"> • The Council has implemented a data team, who have developed live intelligence reports picking up areas of concern such as repeat repairs, failed visits, repeat complaint, follow-on jobs etc. These reports are shared on a daily basis with the Head of Service and Senior Service Managers to escalate properties of concern. • Data is being used to produce bespoke reports to target repairs issues where they have not been reported (for instance where no repairs have been reported over several years or where intelligence elsewhere suggests that the property archetype may be prone to damp and mould/disrepair) in order to target proactive works. • The Council is now recording all contacts between tenants and operatives in relation to repairs and is monitoring the performance of contractors in doing the same. • The Council is in the early stages of procuring a long-term repairs contract from 2026 onwards; strict KPI's and performance measures will be implemented alongside minimum expectations for record keeping and contact with tenants around appointments etc.
<p>Complaint Handling – we are aware that our performance in responding to repairs within timescale has been unacceptable and that the quality has not always been at the level we would expect.</p>	<ul style="list-style-type: none"> • Additional officers have been recruited to the corporate complaints team to bolster the housing complaints element. • A target team has reduced the backlog of overdue complaints from a high of 1400 to around 200. • The Council is committed to improving its performance against the Stage 1/Stage 2 target times; whilst this has not improved at the pace we would like, additional resources can be targeted to this team now that the complaints backlog has been reduced. • Effective and consistent quality assurance processes are in place, including “dip samples” of decision letters and investigations to ensure that all elements of the complaint are addressed and that decision letters are of good quality and compliant with the code.
<p>Housing Management – tenants tell us that they find it hard to speak to their Housing Officer or to know who to go to with issues, so feel they have to complain to get answers.</p>	<ul style="list-style-type: none"> • The Council is currently redesigning the Housing Management function to deliver a locality-based model, placing local teams within communities, reducing patch sizes and ensuring that tenants know who their local team(s) are and who to contact to resolve issues.
<p>Housing Management - Tenants tell us that they do not feel that the Council listens to their views or involves them in our service delivery.</p>	<ul style="list-style-type: none"> • The Council is currently redesigning the Housing Management function to deliver a locality-based model, placing local teams within communities, reducing patch sizes and ensuring that tenants know who their local team(s) are and who to contact to resolve issues.

	<ul style="list-style-type: none"> • The Council has commissioned an independent report from TPAS on our tenant engagement structure and is implementing the changes recommended. • We have restructured our tenant engagement framework, ensuring that tenants across the city are able to get involved in both local and city-wide engagement groups to enable consultation and feedback on proposed changes to service delivery, and to invite suggestions for service improvements. • The Council’s new Resident Involvement structure has been rolled out, with new pools of tenants recruited to replace the previous limited ward-based structure, ensuring that the tenant voice throughout Birmingham is at the heart of what we do and that this voice is representative of the city as a whole. • We actively seek tenant involvement in both proposed changes via the Resident Involvement structure and on a more targeted basis where specific concerns need to be addressed at a locality level, for example in planned regeneration areas. • We have commenced, and will continue, Tenant Talk events, bringing together our tenants and senior operational and strategic leads to discuss particular issues, take away specific concerns to progress and resolve, and to update our tenants on the work going on across the directorate. These events are conducted across the city on a quarterly basis, at different geographical locations within the community such as community centres.
<p>ASB – tenants tell us that ASB is on ongoing issue and that often we do not keep them informed on the progress of their case.</p>	<ul style="list-style-type: none"> • The Council is currently implementing new ASB and Hate Crime Policies. • Performance across ASB KPI’s has improved as a result of better monitoring of milestones via Power BI, ensuring that cases are progressed swiftly and that opportunities to engage with tenants around their case are met. • The Council is consulting on a CCTV pilot programme to reinstall CCTV in high-rise blocks where complaints data tells us there are particular issues.

7. The Housing Ombudsman’s New Complaint Handling Code

7.1 The Housing Ombudsman’s new Complaint Handling Code was published in February 2024 following consultation on a joint code with the Local Government and Social Care Ombudsman (LGSCO) in 2023. The new code, which was confirmed as a separate code to that to be implemented by the LGSCO, became effective in April 2024.

- 7.2 The Council has benefitted from the previous intervention from the Housing Ombudsman between January 2023 and February 2024, in that many of the elements contained within the new Complaint Handling Code were suggested in the service improvements proposed in response to the Special Report.
- 7.3 The Council has, as required within the new Complaint Handling Code, carried out a self-assessment (page 16-40) against the new requirements of the code, which differed, in some regards significantly, from the previous version of the code.
- 7.4 This self-assessment acts as the Council's evidentiary base for compliance with the code and the steps the Council will take to demonstrate compliance with those elements where at present we are unable to confirm compliance or where compliance is considered to be partial.
- 7.5 The self-assessment will be published separately on the Council's website as required by the code. Additionally, the Council will review the self-assessment at such time as required by the Housing Ombudsman (such as in response to significant changes in operating environment or as ordered by the Housing Ombudsman) and publish a revised version of the self-assessment, alongside re-submission to the Housing Ombudsman in line with the code.
- 7.6 It is anticipated that the existing Compliments, Comments and Complaints Policy will be reviewed during 2024-25 as part of the Council's work to evidence compliance with the code; any review of the policy will trigger a re-publication and re-submission of the self-assessment.

8. Ensuring Compliance with the Complaint Handling Code

- 8.1 This report will pass through the City Housing Directorate's usual approval process via Directorate Management Team and Cabinet Member Briefing, alongside the self-assessment against the Complaint Handling Code. The Council's revised Complaints Policy and Compensation Policy have already been through the relevant approval process.
- 8.2 In order to ensure full compliance with the Complaint Handling Code, the following action is required:
"The annual complaints performance and service improvement report must be reported to the landlord's governing body (or equivalent) and published on the section of its website relating to complaints. The governing body's response to the report must be published alongside this."
- 8.3 In order to achieve compliance with this element of the code, this report will be presented to Cabinet for approval on 23 July 2024. Cabinet will be requested to provide a formal response to this report, which will be published on the Council's website alongside the other required documents.

9. Self-Assessment Against the Complaint Handling Code 2023-24

Section 1: Definition of a Complaint

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/explanation
1.2	A complaint must be defined as: <i>“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.”</i>	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	“A complaint is an expression of dissatisfaction. It can be about the standard of a service provided, or actions the council have or have not taken, which affect someone using council services or those services provided on behalf of the council.”
1.3	A resident does not have to use the word ‘complaint’ for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make a complaint. A complaint that is submitted via a third party or representative must be handled in line with the landlord’s complaints policy.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	“A complaint is an expression of dissatisfaction. It can be about the standard of a service provided, or actions the council have or have not taken, which affect someone using council services or those services provided on behalf of the council.”
1.4	Landlords must recognise the difference between a service request and a complaint. This must be set out in their complaints policy. A service request is a request from a 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.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	“Upon receipt of a complaint from the citizen the Complaint teams will triage the complaint. This involves reviewing the correspondence to see if the actions required would be a service request, comment, complaint, or something that requires progressing through an alternative method such as an appeals process. Complaints will be accepted unless there is a valid reason which will be explained. We will also investigate if there are any actions that can be taken to resolve the issue to the citizens satisfaction within this five-day period.”

1.5	A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Landlords must not stop their efforts to address the service request if the resident complains.	Yes		The Council treats expressions of dissatisfaction following a service request as a complaint and this is dealt with in accordance with the Code. Where actions have been raised in relation to a service request, these will be progressed whilst the complaint is investigated.
1.6	An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they must also provide details of how residents can complain.	No		The directorate currently carries out transactional surveys with citizens following some housing management interactions. At the present time the automated survey mechanism does not make reference to complaints however this will be reviewed and amended during 2024-25. Where survey results indicate particular dissatisfaction, officers make contact with citizens and will be reminded of the need to make tenants aware of the ways in which they can complain.

Section 2: Exclusions

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/explanation
2.1	Landlords must accept a complaint unless there is a valid reason not to do so. If landlords decide not to accept a complaint they must be able to evidence their reasoning. Each complaint must be considered on its own merits.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	"Complaints will be accepted unless there is a valid reason which will be explained. We will also investigate if there are any actions that can be taken to resolve the issue to the citizens satisfaction within this five-day period."
2.2	A complaints policy must set out the circumstances in which a matter will not be considered as a complaint or escalated, and	Partial	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and	The Complaints Policy sets out exceptions to the policy, such as where a statutory right or review/appeal exists,

	<p>these circumstances must be fair and reasonable to residents. Acceptable exclusions include:</p> <ul style="list-style-type: none"> • The issue giving rise to the complaint occurred over twelve months ago. • Legal proceedings have started. This is defined as details of claim, such as the Claim Form and Particulars of Claim, having been filed at court. • Matters that have previously been considered under the complaints policy. 		<p>Complaints Policy Birmingham City Council</p>	<p>HR/Recruitment complaints, complaints against elected members.</p> <p>The Council will not consider a complaint where legal proceedings have started, or where the complaints process has previously been exhausted.</p> <p>Where the issue giving rise to the complaint occurred over twelve months ago, the Council will consider the facts of the case before determining whether the complaint will be considered.</p>
2.3	<p>Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.</p>	Yes	<p>BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council</p>	<p>“We are usually only able to investigate a complaint at both stages within 12 months of the time the citizen became aware of the issue. A complaint received outside of this timeframe will be assessed to see if we are able to provide an informed response.”</p>
2.4	<p>If a landlord decides not to accept a complaint, an explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.</p>	Yes	<p>BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council</p>	<p>Where a complaint is received for a matter outside of the Complaints Policy, this will wherever possible be forwarded to the relevant department. Where this is not possible, the Council will advise the resident of this and where the complaint should be directed to.</p> <p>The Council does not routinely refuse complaint requests except where the circumstances at 2.2 are met. In these cases, correspondence refusing to accept the complaint will confirm the resident’s</p>

				rights to take the decision to the Ombudsman, and the relevant Ombudsman depending on the circumstances of the case.
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	Each complaint received is assessed to determine whether it is within scope and if not, where the complaint should be directed (if possible).

Section 3: Accessibility and Awareness

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/explanation
3.1	Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.	Yes	Residents can complain in various formats: <ul style="list-style-type: none"> • BRUM Account – My Account Page • Online – Your Views • Phone – 0121 464 9995 • Post – BCC Complaints PO BOX 16616, Birmingham, B2 2HN Complaints Easy-Read version - Complaints procedure easy read leaflet Birmingham City Council	We accommodate individual needs by giving residents various channels through which they can make a complaint. Complaint Handlers are appropriately trained, and residents are asked how they would prefer to receive a response i.e. phone/post/online/email/face-to-face. The Complaints Procedure Easy Read leaflet confirms the ways in which residents with access issues can make a complaint.
3.2	Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.	Yes		The Council provides all staff with an overview of the complaints policy and process. Staff within the City Housing directorate are aware of access channels for complaints and there is literature available for

				staff confirming how to accept and forward a complaint.
3.3	High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.	Yes		The Council receives a high volume of complaints each year, evidencing that residents are aware of, and can access, the complaints process. The Corporate Complaints Lead carries out benchmarking against peer local authorities to measure the volume of complaints received and the effectiveness of the complaints process.
3.4	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two-stage process, what will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord's website.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council Complaints Easy-Read version - Complaints procedure easy read leaflet Birmingham City Council	The current policy is publicised on the Council's website - BCC Compliments, Comments and Complaints Policy Birmingham City Council . The Complaints Procedure easy read document is accessible via the website.
3.5	The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code.	No	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	Both Ombudsman are referenced with contact details in the current policy. The current policy does not make reference to the Complaint Handling Code(s) and does not refer to how the Council will publicise the policy
3.6	Landlords must give residents the opportunity to have a representative deal with the complaint	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC	"Citizens can ask someone to help make their complaint and represent them during the

	on their behalf, and to be represented or accompanied at any meeting with the landlord.		Compliments, Comments and Complaints Policy Birmingham City Council	<p>investigation. They will need to give written consent for the individual to act on their behalf and we will need to receive it before we can respond to them directly about the complaint. If we do not have this authorisation, then we will respond directly to the citizen.”</p> <p>Residents are able to nominate a representative to deal with their complaint. In line with the Council’s GDPR guidelines, where a resident has identified a representative, a signed “Authority to Act” is required. The complaint will still be investigated without this authority and a response will be sent directly to the resident to share with their representative.</p>
3.7	Landlords must provide residents with information on their right to access the Ombudsman service and how the individual can engage with the Ombudsman about their complaint.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	Both Ombudsman are referenced with contact details in the current policy; this information is also confirmed on the BCC website. Residents are provided with details of the relevant Ombudsman in complaint responses.

Section 4: Complaint Handling Staff

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/explanation
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4.1	Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the 'complaints officer'. This role may be in addition to other duties.	Yes		The Council has a dedicated City Housing Complaints Team within the Corporate Complaints Service; this team is independent of the service areas.
4.2	The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly.	Yes		Complaint handlers are able to contact staff within the relevant service areas of City Housing to investigate and resolve complaints. An escalation process is in place for complaints requiring senior management involvement.
4.3	Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and must be resourced to handle complaints effectively.	Yes		<p>The Corporate Complaints Team record the specific training complaint handlers have received and attended; training matrices are held within the service area confirming the training needs of individual officers.</p> <p>Following the Housing Ombudsman's Special Report in January 2023, complaint handlers have received training on letter writing, soft skills and case management.</p> <p>Each service area within the City Housing directorate receive root cause analysis of their complaints broken into themes for review and action. The complaints service also supply "7 minute briefings" where quick changes can be implemented to reduce repeated complaints. There are also storyboards in progress for complaints journeys to look for lessons</p>

				learned as to where we could have resolved a complaint more quickly.
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Section 5: The Complaint Handling Process

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/explanation
5.1	Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	The current policy covers all complaints within the Code.
5.2	The early and local resolution of issues between landlords and residents is key to effective complaint handling. It is not appropriate to have extra names stages (such as 'stage 0' or 'informal complaint') as this causes unnecessary confusion.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	The current policy includes a five-day "triage" for complaints which is in line with the Code. The complaints process consists of two stages in line with the Code.
5.3	A process with more than two stages is not acceptable under any circumstances as this will make the complaint process unduly long and delay access to the Ombudsman.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	The current policy has two stages in line with the Code.
5.4	Where a landlord's complaint response is handled by a third party (e.g. a contractor or independent adjudicator) at any stage, it must form part of the two stage complaints process set out in this Code. Residents must not be expected to go through two complaints processes.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	The Council operates a two-stage internal Corporate Complaints function; residents' complaints are not dealt with by a third party.
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	The Council operates a two-stage internal Corporate Complaints function; residents' complaints are not dealt with by a third party.

5.6	When a complaint is logged at Stage 1 or escalated Stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will refer to this as the “complaint definition”. If any aspect of the complaint is unclear, the resident must be asked for clarification.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	<p>“We will contact the citizen to acknowledge the receipt of the complaint and set out what will be investigated, and the understanding of the resolution sought. This is an opportunity to clarify any elements of the complaint.”</p> <p>Where a Stage 2 complaint is received, the resident will be asked to confirm the elements of the Stage 1 complaint that they wish the Council to review. Where a resident does not give an indication, all elements of the Stage 1 complaint will be reviewed. The elements of the Stage 1 complaint to be reviewed at Stage 2 are confirmed in the Stage 2 acknowledgement letter.</p> <p>Audits undertaken are used by the Corporate Complaints Leads as a quality assurance measure. The lessons learned feedback to Directorate Management Team is based on root cause analysis which informs the Service Improvement Plans tracked through the Housing Sub Board.</p> <p>Complaint acknowledgements are quality checked by Complaints Leads/Managers to monitor compliance. A dip sample of 3-8% of the total acknowledgements sent each month is scored against a clearly defined criteria and additional training is provided where necessary.</p>
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5.7	When a complaint is acknowledged at either stage, landlords must be clear which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	<p>Acknowledgement letters at both Stage 1 and Stage 2 clearly set out the aspects of the complaint that the Council is responsible for and provide clarification for areas that will not be considered.</p> <p>Complaint acknowledgements are quality checked by Complaints Leads/Managers to monitor compliance. A dip sample of 3-8% of the total acknowledgements sent each month is scored against a clearly defined criteria and additional training is provided where necessary.</p>
5.8	<p>At each stage of the complaints process, complaint handlers must:</p> <ol style="list-style-type: none"> a. Deal with complaints on their merits, act independently, and have an open mind. b. Give the resident a fair chance to set out their position. c. Take measures to address any actual or perceived conflict of interest; and d. Consider all relevant information and evidence carefully. 	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	<p>“When investigating the complaint, the independent Complaints Champion will.</p> <ul style="list-style-type: none"> • Deal with all complaints on their merits • Act independently and have an open mind. • Take measures to address any actual or perceived conflict of interest. • Consider all information and evidence carefully. • Keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.” <p>Training is delivered to all complaint handling staff on good practice and refresher training provided as and when necessary.</p>

				Complaint responses are quality checked by Complaints Leads/Managers to monitor compliance. A dip sample is reviewed and scored against a set criteria each month and additional training is provided where necessary.
5.9	Where a response to a complaint will fall outside the timescales set out in this Code, the landlord must agree with the resident suitable intervals for keeping them informed about their complaint.	Partial		<p>Complaint handlers contact residents where a complaint response will fall outside of the Code, to agree an extension and to confirm contact preferences and frequency until the response is issued. The frequency and nature of contact will be determined by the facts of the case and the anticipated duration of any delay to the complaint response.</p> <p>The Council is currently carrying a backlog of historical complaints and it is possible that for cases within this backlog some extensions will not have been pre-agreed or communicated however this is the procedure for all new complaints.</p>
5.10	Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review.	Yes		Where residents notify the Council of protected characteristics, or where the Council is aware of existing protected characteristics, any requested reasonable adjustments and contact preferences will be noted and adhered to by the complaint handler. Where a safeguarding issue is identified, this will also be flagged and reported to the appropriate service.

5.11	Landlords must not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do so. Landlords must clearly set out these reasons, and they must comply with provisions set out in section 2 of this Code.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	Residents are advised of their right to escalate a complaint to Stage 2 in the Council's response to Stage 1 complaints.
5.12	A full record must be kept of the complaint, and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.	Yes		All correspondence between the Council and the resident relating to the complaint is stored in icasework, including any information or supporting evidence received or obtained during investigation of the complaint.
5.13	Landlords must have processes in place to ensure a complaint can be remedied at any stage of its complaints process. Landlords must ensure appropriate remedies can be provided at any stage of the complaints process without the need for escalation.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	<p>As part of the complaint handling process, complaint handlers will progress actions to resolve the complaint (raising repairs, requesting financial redress etc).</p> <p>The completion of repairs or the awarding of financial redress whilst the complaint is being investigated does not preclude the complaint from being resolved or escalation of the complaint if the resident remains dissatisfied with the outcome.</p> <p>Where there are outstanding actions the complaints service will add "to do actions" within the case with the agreement of the citizen and provide responses to these actions as and when they happen.</p>
5.14	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords	Yes	Unreasonable/Unreasonably Persistent Complainer Policy 2021 - Unreasonable-unreasonably	The Unreasonable/Unreasonably Persistent Complainer Policy sets out the ways in which the Council identifies and

	must be able to evidence reasons for putting and restrictions in place and must keep restrictions under regular review.		persistent complainer Birmingham City Council	<p>manages unreasonable or persistent complainers.</p> <p>This policy also sets out the ways in which any restrictions will be reviewed:</p> <p>“The Central Complaints Team in collaboration with the Directorate teams will review any initial restrictions imposed upon the complainant after three months and at the end of every subsequent three months during which time the policy is to apply.</p> <p>Should there be a need to extend a period of restriction the complainant will be advised in writing by the council with the reason for the extension of the restriction and the period of extension.</p> <p>If at the end of a restriction period, it is considered that the complainant’s behaviour is no longer deemed to be unreasonable the council will confirm this in writing advising the complainant.</p> <p>At each of the above stages, the complaint will be advised of their right to refer the matter to the relevant Ombudsman.”</p>
5.15	Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.	Yes	Unreasonable/Unreasonably Persistent Complainer Policy 2021 - Unreasonable-unreasonably	“Before implementing these restrictions in relation to someone who is considered vulnerable (people who may be in need of care and support or with a disability)

			persistent complainer Birmingham City Council	the council will consider whether or not, adjustments to this policy could be made or whether there are other appropriate means of support and contact outside of this policy which can be used to assist them. In order to do this full consent from the complainant must be sought in relation to their relevant circumstances with the consent not being unreasonably refused.”
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Section 6: Complaints Stages

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/explanation
6.1	Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most Stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	““Upon receipt of a complaint from the citizen the Complaint teams will triage the complaint. This involves reviewing the correspondence to see if the actions required would be a service request, comment, complaint, or something that requires progressing through an alternative method such as an appeals process. Complaints will be accepted unless there is a valid reason which will be explained. We will also investigate if there are any actions that can be taken to resolve the issue to the citizens satisfaction within this five-day period.”
6.2	Complaints must be acknowledged, defined and logged at Stage 1 of the complaints procedure <u>within five working days of the complaint being received.</u>	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and	“Upon receipt of a complaint from the citizen the Complaint teams will triage the complaint. This involves reviewing the correspondence to see if the actions

			Complaints Policy Birmingham City Council	<p>required would be a service request, comment, complaint, or something that requires progressing through an alternative method such as an appeals process. Complaints will be accepted unless there is a valid reason which will be explained. We will also investigate if there are any actions that can be taken to resolve the issue to the citizens satisfaction within this five-day period.</p> <p>A complaint which is not able to be resolved upon receipt within the first five days of review and triage will be assigned to the relevant complaints team to investigate. We will contact the citizen to acknowledge the receipt of the complaint and set out what will be investigated, and the understanding of the resolution sought. This is an opportunity to clarify any elements of the complaint.”</p>
6.3	Landlords must issue a full response to Stage 1 complaints <u>within 10 working days</u> of the complaint being acknowledged.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	“The council will investigate the complaint with the relevant service and respond within 10 working days.”
6.4	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes		Where an extension is required in order to fully respond to the complaint, residents are notified of the duration of the requested extension and the reasons for it; this confirmation is issued to the resident in writing.

6.5	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes		Where an extension is required in order to fully respond to the complaint, residents are notified of the duration of the requested extension and the reasons for it; this confirmation is issued to the resident in writing. In response to the revised Code(s), complaint handling officers have been trained to provide the contact details for the relevant Ombudsman service within extension confirmations; compliance is monitored via the existing audit processes.
6.6	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes		The service issues responses for elements of the complaint where the response is known and will add a “to do” action to track the outstanding elements onto the case where further actions are in progress.
6.7	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes		Each element of the complaint is listed in the acknowledgement and response with an outcome for each element; this is monitored via quality assurance checks.
6.8	Where residents raise additional complaints during the investigation, these must be incorporated into the Stage 1 response if they are related and the Stage 1 response has not been issued. Where the Stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.	Yes		All issues raised are investigated. Where further issues are raised whilst a Stage 1 complaint is being investigated, these are incorporated into the Stage 1 response if appropriate. Where this is not possible due to the complaints being unrelated, the Stage 1 response has been issued or investigation of the new issues would delay the Stage 1 response, we will treat the issues raised as a new Stage 1 complaint.

6.9	Landlords must confirm the following in writing to the resident at the completion of Stage 1 in clear, plain language: a) The complaint stage; b) The complaint definition; c) The decision on the complaint; d) The reasons for any decisions made; e) The details of any remedy offered to put things right; f) Details of any outstanding actions; and g) Details of how to escalate the matter to Stage 2 if the individual is not satisfied with the response.	Yes		The quality of responses and compliance with the relevant requirements has been added to the quality assurance procedures within the complaint handling service since May 2023. Where issues are identified, officers are provided with appropriate training and support to ensure that responses are of the required quality and compliant.
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Stage 2

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/explanation
6.10	If all or part of the complaint is not resolved to the resident's satisfaction at Stage 1, it must be progressed to Stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	"If a citizen is unhappy with our decision at Stage 1, they can ask us to review it. This is called a Stage 2 complaint."
6.11	Requests for Stage 2 must be acknowledged, defined and logged at Stage 2 of the complaints procedure within five working days of the escalation request being received.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	Stage 2 complaints are logged, defined and acknowledged within five working days of receipt. The Council is currently carrying a backlog of historical complaints and it is possible that in some of these cases this process has not been followed; this process applies to all new cases.

6.12	Residents must not be required to explain their reasons for requesting a Stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its Stage 2 response.	Partial	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	The current Complaints Policy states “the citizen will need to explain why they feel our decision is incorrect.” Where residents escalate a complaint to Stage 2 without providing reasons, complaint handlers will contact residents to understand the reasons they are unhappy with the decision. If the resident does not provide reasons, the entirety of the Stage 1 response is reviewed at Stage 2.
6.13	The person considering the complaint at Stage 2 must not be the same person that considered the complaint at Stage 1.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	“The complaint will then be reviewed by a complaint champion who has not been involved in the original stage 1 response to ensure independence from the service area.”
6.14	Landlords must issue a final response to the Stage 2 <u>within 20 working days</u> of the complaint being acknowledged.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	“We will respond within 20 working days of the Council receiving the stage 2 complaint with their decision.”
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes		Where an extension is required in order to fully respond to the complaint, residents are notified of the duration of the requested extension and the reasons for it; this confirmation is issued to the resident in writing.
6.16	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	No		The current complaints policy requires review following publication of the new Code(s). All complaint handling staff have been briefed on the need to ensure that where an extension is agreed, the citizen

				is advised of the details of the relevant Ombudsman.
6.17	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding issues required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes		The complaint handler will provide a holding response and complaint a follow up action on the system to provide a final response whilst the actions required for the complaint to be fully resolved are being progressed.
6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes		The quality of responses and compliance with the relevant requirements has been added to the quality assurance procedures within the complaint handling service since May 2023. Where issues are identified, officers are provided with appropriate training and support to ensure that responses are of the required quality and compliant.
6.19	Landlords must confirm the following in writing to the resident at the completion of Stage 2 in clear, plain language: <ul style="list-style-type: none"> a) The complaint stage; b) The complaint definition; c) The decision on the complaint; d) The reasons for any decision made; e) The details of any remedy offered to put things right; f) Details of any outstanding actions; and g) Details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied. 	Yes		The quality of responses and compliance with the relevant requirements has been added to the quality assurance procedures within the complaint handling service since May 2023. Where issues are identified, officers are provided with appropriate training and support to ensure that responses are of the required quality and compliant.
6.20	Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.	Yes	BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and	Complaint handlers make enquiries of all service areas and officers necessary to ensure that the Stage 2 response is accurate, informed and compliant.

Section 7: Putting things right

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/explanation
7.1	<p>Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, to put things right.</p> <p>These can include:</p> <ul style="list-style-type: none"> • Apologising; • Acknowledging where things have gone wrong; • Providing an explanation, assistance or reasons; • Taking action if there has been delay; • Reconsidering or changing a decision; • Amending a record or adding a correction or addendum; • Providing a financial remedy; • Changing policies, procedures or practices. 	Yes	<p>BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council</p> <p>Compensation Policy</p>	<p>Complaint responses are quality checked by Complaints Leads/Managers to monitor compliance. A dip sample is reviewed and scored against a set criteria each month and additional training is provided where necessary.</p> <p>Where financial redress is appropriate, this is offered as part of the complaint resolution process in line with the Council's Compensation Policy.</p> <p>Where possible service improvements are identified as part of the complaint handling process, these are escalated to the relevant service area and Senior Manager.</p>
7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.	Yes	Compensation Policy	The Compensation Policy ensures that consideration is given to non-quantifiable loss, stress and inconvenience, time and trouble etc rather than only quantifiable losses for damage etc.
7.3	The remedy must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.	Yes	<p>BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council</p>	<p>Stage 1 and Stage 2 decision letters confirm the actions that the Council will take in order to remedy any failure. Complaint handlers continue to progress remedial works and contact residents to</p>

				update on the progress until any agreed remedy is delivered.
7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.	Yes	Compensation Policy BCC Comments, Complaints and Compliments Policy 2023 - BCC Compliments, Comments and Complaints Policy Birmingham City Council	Complaint handlers are trained on the Code and the factors to consider when determining appropriate remedies. The Compensation Policy confirms that due regard should be given to the relevant Ombudsman Code when assessing financial redress as part of complaint resolution.

Section 8: Putting things right

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/explanation
8.1	Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include: <ul style="list-style-type: none"> a) The annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements. b) A qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept. c) Any findings of non-compliance with this Code by the Ombudsman; d) The service improvements made as a result of the learning from complaints; e) Any annual report about the landlord's performance from the Ombudsman; and 	Yes	CCC Annual Report 2022-23	The annual report will be published on the Council's website and submitted to the Housing Ombudsman ahead of the 30 June 2024 submission deadline.

	f) Any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.			
8.2	The annual complaints performance and service improvement report must be reported to the landlord's governing body (or equivalent) and published on the section of its website relating to complaints. The governing body's response to this report must be published alongside this.	Yes	Complaints annual report - 2022 to 2023 Birmingham City Council	The annual complaint report is shared with the Directorate Management Team, Cabinet Member and Corporate Leadership Team.
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Yes		This is not applicable at the present time however the Council will be compliant with this requirement in the event of any future restructure, merger or change in procedures.
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	Yes		The Council is committed to reviewing and updating the current self-assessment following any order/recommendation from the Housing Ombudsman.
8.5	If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website. Landlords must provide a timescale for returning to compliance with the Code.	Yes		The Council is committed to complying with this requirement in the event of any exceptional circumstance and will publish the required information at this time.

Section 9: Scrutiny and oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/explanation
9.1	Landlords must look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.	Yes		The complaint service triages all complaints to ensure that each is dealt with on merit. The service provides feedback via root cause analysis and

				delivers 7 minute briefings to provide learning from individual complaints outside of overall trend analysis.
9.2	A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.	Yes		The complaint service carries out comprehensive and detailed analysis of trends arising from complaints, themes and issues and feeds these back via the governance structure to the relevant Directors/Heads of Service. Root cause and trend analysis inform service improvement across the directorate.
9.3	Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.	Yes		Lessons learned from complaints and determinations are shared with the relevant services and staff. Where appropriate, findings and actions taken by the directorate in response to complaints are shared via City Housing Liaison Board and via Tenant Talks.
9.4	Landlords must appoint a suitably senior lead person as accountable for their complaint handling. This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.	Yes	Policy	All divisions have complaints leads that provide root cause analysis to the services to identify themes and potential improvements. The service also produced 7 minute briefings to assist with learning from complaints. Any themes, risks or policy revisions identified are raised with the relevant Director for resolution within the service area.
9.5	In addition to this 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').	Yes		We have a Member of the Corporate Leadership Team and a Cabinet Member who have oversight and responsibility for the complaints service.
9.6	The MRC will be responsible for ensuring the governing body receives regular information on	Yes		Annual reports, Monthly and Quarterly updates relating to volumes, processes

	complaints that provides insight on the landlord's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.			and performance inclusive of root cause are all provided to the relevant senior leadership board on a monthly basis. Senior officers within the complaints service provide detailed analysis to the MRC to enable this information to be communicated at an appropriate level.
9.7	<p>As a minimum, the MRC and the governing body (or equivalent) must receive:</p> <ul style="list-style-type: none"> a) Regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance; b) Regular reviews of issues and trends arising from complaint handling; c) Regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and d) Annual complaints performance and service improvement report. 	Yes		<p>Complaints performance is a standard agenda item at Directorate Management Team, Cabinet Member Briefings and Corporate Leadership Team. Senior management receive updates on volumes, trends and performance against Service Level Agreements. Root cause analysis is fed back to the service areas on a monthly basis to highlight areas of high complaints and dissatisfaction.</p> <p>The Housing Ombudsman Case Management Team provide feedback to service areas on determinations, orders and recommendations. This data is used to highlight areas of non-compliance with policies and identify wider service improvements. Monthly lessons learned meetings take place with senior managers from Asset Management to discuss recent cases and to escalate learning to staff and contractors. The annual report is shared with Directorate Management Team, Cabinet Members and Corporate Leadership Team.</p>
9.8	Landlords must have a standard objective in relation to complaint handling for all relevant	Partial		All complaint handling staff have a standard objective around complaint

	<p>employees or third parties that reflect the need to:</p> <ul style="list-style-type: none">a) Have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;b) Take collective responsibility for any shortfalls identified through complaints, rather than blaming others; andc) Act within the professional standards for engaging with complaints as set by any relevant professional body.			<p>handling. This objective will be amended to reflect these specific requirements following consultation with HR.</p>
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10. Findings of non-compliance with the code by the Housing Ombudsman 2023-24

Complaint Summary	Determination	Received	
The tenant was unhappy with the management of a repair to their floor.	Maladministration Maladministration	May 2023	The HO determined that the Council failed to appropriately deal with the repair and our complaint handling was not in line with our published timescales and standards.
The tenant was unhappy with repairs to their kitchen.	Maladministration Maladministration	June 2023	The HO determined that we had missed repeated repair appointments and our complaint handling was not in line with our published timescales and standards.
The tenant complained about our provision of CCTV and issues with antisocial behaviour	No Maladministration No Maladministration Service Failure	June 2023	The HO found no issues with our handling of the CCTV or ASB issues, however there was an avoidable delay in responding to her complaints.
The tenant complained about repairs to their ceiling and floorboards.	No Maladministration	July 2023	The HO found no issues with our handling of the repairs or the subsequent complaint.
The tenant complained regarding multiple repairs.	Service Failure No Maladministration Maladministration	July 2023	The HO found fault with our handling of repairs to a disabled shower, no fault with our handling of other repairs and maladministration with our late handling of the complaints.
The tenant endured repeated visits to repair a faulty central heating system over a long period.	Severe Maladministration Severe Maladministration Maladministration	July 2023	The HO found severe maladministration with our handling of the central heating repairs and our handling of the tenant's complaints, and maladministration with our record keeping throughout the process.
The tenant complained about	No Maladministration	August 2023	The HO found no maladministration with the

the condition of a property following a mutual exchange.	Service Failure Service Failure		mutual exchange, but found service failure with our handling of the tenant's complaints and the time taken to carry out repairs following occupation of the property.
The tenant was left without a gas supply to her cooker for over three years.	Severe Maladministration Maladministration Maladministration	August 2023	The HO found severe maladministration with our handling of the repairs to the tenant's kitchen and bathroom, and maladministration with our handling of the complaint and record keeping relating to the repairs being carried out.
The Council failed to resolve issues with fly-tipping for over two years.	Maladministration Maladministration	August 2023	The HO found fault with our handling of the fly-tipping and our response to the tenant's complaints.
The Council failed to identify repeat repairs as an underlying issue and this resulted in a worsening of the property condition.	Maladministration Maladministration	August 2023	The HO found maladministration with our repairs handling and our response to the tenant's complaints.
The tenant complained about delays in dealing with repairs and the Council sending the wrong contractors.	Maladministration No Maladministration Service Failure	August 2023	The HO found maladministration with our repairs handling, no maladministration with our management of the tenancy and service failure with our record keeping relating to the tenancy.
The tenant complained about our handling of a heating repair.	Maladministration	August 2023	The HO found maladministration with our record keeping meaning that we could not evidence the works carried out.
The tenant complained about our handling of repairs to their kitchen cupboards.	Maladministration No Maladministration Service Failure	August 2023	The HO found maladministration with our handling of the repairs, no maladministration with our handling of capital works and service failure with our late response to the complaint.

The tenant complained about a mice infestation, a leak from above and damp and mould.	Service Failure No Maladministration Maladministration No Maladministration	August 2023	The HO found service failure with our response to the mice infestation, no maladministration with our handling of the leak from above, maladministration with our handling of damp and mould and no maladministration with our handling of the tenant's complaint.
The tenant complained about our handling of a blocked drain and leak at their property.	Maladministration Maladministration	August 2023	The HO found maladministration with our record keeping relating to previous works carried out, and maladministration with our handling of the complaint.
The tenant complained regarding a leak that had been ongoing for four years.	Maladministration Maladministration	August 2023	The HO found maladministration with our handling of the leak, and maladministration with our late handling of the associated complaint.
The tenant complained about the type of paint used on a kitchen repair and our response to his request for a decant.	Service Failure No Maladministration	August 2023	The HO found maladministration with our record keeping relating to the type of paint, and no maladministration with our handling of his request for a decant.
The tenant complained about our handling of ongoing repairs and our complaint handling.	Severe Maladministration Severe Maladministration Maladministration	September 2023	The HO found severe maladministration with our handling of the repairs, which were outstanding for several years, severe maladministration with our complaint handling which was consistently late, and maladministration with our record keeping.
The tenant complained about our handling of a leak from above.	Severe Maladministration Severe Maladministration	September 2023	The HO found severe maladministration with our handling of the repair, which had been ongoing for over three years, and severe maladministration with our complaint handling which was significantly overdue.

The tenant complained about ongoing antisocial behaviour.	Service Failure Maladministration	September 2023	The HO found service failure with our handling of the antisocial behaviour as we had failed to apply our policy correctly, and maladministration with our complaint handling which was overdue.
The tenant complained about our handling of an ongoing leak.	Maladministration Maladministration	September 2023	The HO found maladministration with our handling of the leak and maladministration with our complaint handling which was overdue.
The tenant complained about our handling of issues of subsidence and damp and mould.	Maladministration Maladministration Maladministration	September 2023	The HO found maladministration with our handling of the issues of subsidence and damp and mould, which had been ongoing and unresolved, and maladministration with our handling of the complaint, which was overdue.
The tenant complained about repairs to a stop tap and potential asbestos within the property.	Maladministration Maladministration	September 2023	The HO found maladministration with our response to the request for an asbestos inspection/survey and our complaint handling, which was late.
The tenant complained about our handling of issues with damp and mould and decanting to an alternative property.	Severe Maladministration Maladministration Maladministration	September 2023	The HO found severe maladministration with our handling of the repairs and decant which were significantly delayed due to Covid 19, maladministration with our failure to identify the mobility needs of the household and maladministration with our complaint handling, which was late.
The tenant complained about issues with damp and mould, a mice infestation and various repairs.	Maladministration Severe Maladministration Maladministration Maladministration	September 2023	The HO found maladministration with our handling of the damp and mould due to the condition of the property at the time of letting, severe maladministration with our

			handling of the mice infestation, maladministration with our handling of various repairs and maladministration with our handling of the complaint, which was overdue.
The tenant complained about our handling of repairs to a fence.	Maladministration Maladministration	October 2023	The HO found maladministration with our handling of the repairs to the fence, which took over three years, and with our handling of the complaint, which was overdue.
The tenant complained about our handling of issues with noise from heating pipes.	Maladministration Service Failure	October 2023	The HO found maladministration with our handling of the heating pipes, which required repeat visits to resolve, and service failure with our late handling of the complaint.
The tenant complained about our handling of repairs which had been ongoing for four years.	Severe Maladministration Severe Maladministration	October 2023	The HO found severe maladministration with our response to the repairs over several years and our complaint handling, as responses to complaints were not accurate.
The tenant complained about our handling or repairs to an outbuilding.	Maladministration Maladministration	October 2023	The HO found maladministration with our handling of the repairs, which had been ongoing for several years, and out complaint handling which was overdue.
The tenant complained about our handling of a roof leak.	Maladministration Maladministration	October 2023	The HO found maladministration with our handling of the roof leak, which included avoidable delays in identifying and resolving, and with our complaint handling, which was late.
The tenant complained about the condition of the property at the time of letting.	Maladministration Service Failure	October 2023	The HO found maladministration with our compliance with our Empty Property Repairs Standard, and service failure with our

			handling of the complaint which was late.
The tenant complained about our handling of antisocial behaviour.	Maladministration Maladministration	November 2023	The HO found maladministration with our application of our antisocial behaviour policy and our communication with the tenant, and with our complaint handling which was late.
The tenant complained about our handling of a leak.	Maladministration	November 2023	The HO found maladministration with our repeated visits and failure to identify and address the root cause of the leak, or damp and mould issues arising from the ongoing leak.
The tenant complained about our handling of antisocial behaviour.	Maladministration Service Failure	November 2023	The HO found maladministration with our application of our antisocial behaviour policy and service failure with our complaint handling, which was late.
The tenant complained about our failure to resolve an issue with an ongoing leak and resultant damage to their property.	Maladministration Maladministration	November 2023	The HO found maladministration with our handling of the repair, which included avoidable delays in identifying and resolving the issue, and with our complaint handling, which was late.
The tenant complained about our handling of leaks to an extension.	Severe Maladministration Maladministration	November 2023	The HO found severe maladministration with our handling of the repairs for a long period of time following installation of the extension, and maladministration with our handling of the complaint, which was late.
The tenant complained about our handling of antisocial behaviour.	Maladministration Maladministration	November 2023	The HO found maladministration with our application of our antisocial behaviour policy and with our complaint handling, which was late.
The tenant complained about	Maladministration Severe Maladministration	November 2023	The HO found maladministration with our complaint handling, which

ongoing electrical repairs.			was late, and severe maladministration with our response to the repairs due to confusion over the responsibility between the Council and its TMO.
The tenant complained about our handling of ongoing issues with damp and mould.	Severe Maladministration Maladministration	December 2023	The HO found severe maladministration with our handling of the repairs and our approach to accessing a neighbouring property, and maladministration with our handling of the complaint, which was late.
The tenant complained about our handling of noise nuisance and transference.	Maladministration Maladministration Maladministration	January 2024	The HO found maladministration with our application of our antisocial behaviour, our handling of the complaint, which was late, and our record keeping, which was incomplete and inaccessible.
The tenant complained about issues with damp and mould.	Maladministration Maladministration	January 2024	The HO found maladministration with our handling of the damp and mould inspection and remedial works, and with our complaint handling which was late.
The tenant complained about our handling of an ongoing leak.	Maladministration Service Failure Service Failure Service Failure	January 2024	The HO found maladministration with our handling of the repair due to jobs being cancelled without rescheduling, service failure to comply with our repairs policy timescales regarding repairs to the kitchen and windows, and service failure with our handling of the complaint, which was late.
The tenant complained about our handling of a kitchen replacement.	Service Failure Maladministration	February 2024	The HO found service failure with our handling of the repair and replacement of the kitchen which was repeatedly delayed, and maladministration with our

			complaint handling which was late and of poor quality.
The tenant complained about the condition of the property on letting, and our handling of repairs following occupation including an ongoing leak.	Severe Maladministration Maladministration Maladministration	February 2024	The HO found severe maladministration with our handling of the repairs, with repeated visits and repairs failing to address the issues. The HO found maladministration with our record keeping of repairs at the tenant's property and with our complaint handling, which was late.
The tenant complained about our handling of antisocial behaviour.	Service Failure Maladministration	February 2024	The HO found service failure with our handling of a complaint against the tenant from a neighbour, and maladministration with our complaint handling, which was late and of poor quality.
The tenant complained about our handling of repairs to a boiler.	Service Failure Maladministration Maladministration	February 2024	The HO found service failure with our handling of a boiler repair which was delayed, and maladministration with our handling of the conduct of an operative and our complaint handling, which was late and of poor quality.
The tenant complained about our handling of an external waste leak.	Severe Maladministration Maladministration	February 2024	The HO found severe maladministration with our handling of a waste leak, which was incorrectly repaired, records were not accurate and follow-on works were significantly delayed. The HO found maladministration with our complaint handling which was late with no consideration of financial redress.
The tenant complained about our handling of a mutual exchange and subsequent repairs including an ongoing leak.	Maladministration Severe Maladministration Severe Maladministration	February 2024	The HO found maladministration with our handling of the mutual exchange which was not in line with our policy. The HO found severe maladministration with our

			handling of the repairs due to repeated visits and our treatment of vulnerabilities within the household, and our complaint handling at both stages which was significantly delayed.
The tenant complained about our handling of issues with damp and mould.	Maladministration Maladministration	March 2024	The HO found maladministration with our handling of damp and mould, with the tenant being advised to report repeat jobs rather than the Council pursuing them, and with our handling of the complaint which was late at both stages.
The tenant complained about our handling of damp and mould.	Maladministration Maladministration	March 2024	The HO found maladministration with our handling of ongoing damp and mould issues over repeated visits, and with our complaint handling which was of poor quality.
The tenant complained about our handling of damp and mould and repairs to an outbuilding causing water ingress.	Maladministration Maladministration Maladministration	March 2024	The HO found maladministration with our handling of the damp and mould repairs which were delayed, maladministration with our delays to repairing the outbuilding, and maladministration with our handling of the complaint, which was late and poor.
The tenant complained about our handling of damp and mould and a leak.	Maladministration Maladministration	March 2024	The HO found maladministration with our handling of damp and mould which was not in line with our repairs policy, and with our handling of the complaint which was late and did not consider financial redress.
The tenant complained about our handling of issues with damp and mould, delays to adaptation works, and	Maladministration Maladministration Maladministration Maladministration	March 2024	The HO found maladministration with our handling of damp and mould due to delays with access, with our handling of adaptations due to confusion between

various ad-hoc repairs.			departments over responsibility, with our handling of ad-hoc repairs which were cancelled without reasons and with our complaint handling which was late and of poor quality.
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11. Governing Body's Response to the Report

11.1 This report was reviewed by the Council's full cabinet on 23 July 2024; a link can be accessed via: [Decision Details: Housing Ombudsman 2023-2024 Annual Review \(cmis.uk.com\)](https://cmis.uk.com)

11.2 The Leader of the Council, Councillor John Cotton, provided the following response to the report:

"The Council's annual self-assessment against the Housing Ombudsman's Complaint Handling Code, and the annual complaints performance and service improvement report were reviewed by Cabinet on 23 July 2024.

Cabinet was pleased to note the progress that has been made in complaint performance, both in terms of the overall backlog of complaints and compliance with the Council's published complaint handling times, but there remains work to do to ensure that our performance on these measures is consistently at the level we aspire to as an organisation.

We were concerned to see that the Council continues to receive findings of severe maladministration and maladministration from the Housing Ombudsman, however it is clear that significant steps have been taken to understand and learn from our past failures and use these as a mechanism for driving service improvements. The Housing Ombudsman's Special Report, whilst disappointing in content, has provided the Council with a valuable opportunity to review and improve our services for Council tenants. We were pleased to note that the Housing Ombudsman's active intervention following this report ended in February 2024 and that the Council has been able to provide assurance that lessons have been learned and changes have been made.

Having reviewed the self-assessment and the annual complaints performance and service improvement report, Cabinet approved the contents and we look forward to receiving further updates on our progress ahead of the submission of the report for 2024-25 to Cabinet in May 2025."

12. Related Documents

12.1 As confirmed at section 1.4, the Council is required to include several relevant publications within this report. These reports and policies are referenced within the body of this report where necessary, however links to the full documents are provided below:

The Council's Compliments, Comments and Complaints Policy:

[BCC Compliments, Comments and Complaints Policy | Birmingham City Council](#)

The Housing Ombudsman's Special Report of January 2023:

[Birmingham-Special-Report-FINAL-January-2023-1.pdf \(housing-ombudsman.org.uk\)](#)

The Housing Ombudsman's Complaint Handling Code:

[The Complaint Handling Code | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](#)

The Housing Ombudsman's Landlord Report for Birmingham 2022-23:

[Landlords Archive - Housing Ombudsman \(housing-ombudsman.org.uk\)](#)

The Housing Ombudsman's Annual Complaint Review 2022-23:

[Annual Complaints Review 2022-23 | Housing Ombudsman \(housing-ombudsman.org.uk\)](#)