

15 August 2012

Kay Blair
Chair
Scottish Housing Regulator
Highlander House
58 Waterloo Street
Glasgow
G2 7DA

Dear Kay

Consultation on Scottish Social Housing Charter Indicators

Thank you very much for the opportunity to respond to the SHR's Consultation on Scottish Social Housing Charter Indicators.

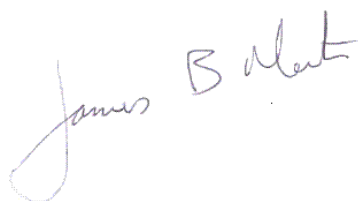
I would like to highlight our appreciation for the support that the SHR has given us in our work to develop and deliver a streamlined, standardised, model complaints handling procedure for the housing sector. This support has been crucial to the effective development and implementation of the SPSO's model Complaints Handling Procedure (model CHP), which is now being implemented by a growing number of RSLs and which will be a requirement for all RSLs to implement in the coming months.

In particular we appreciate the SHR's inclusion of measures relating to the model CHP in the Scottish Social Housing Charter Indicators as proposed in this consultation document. We are broadly supportive of the package of indicators set out in this document, and of the Scottish Social Housing Charter overall. The Charter and Indicators provide a vital opportunity for us to monitor compliance with the requirements on RSLs to implement the model CHP, and will also enable monitoring of complaints performance across the sector.

We are keen to develop further guidance for RSLs in self-assessment of complaints handling, and we hope that the SHR will be able to set this in the context of wider guidance on self-assessment for RSLs. We will continue to work closely with your team and other stakeholders to assist RSLs in developing robust measures for self assessment that will effectively feed into the SHR's risk based approach to intervention.

Our response to the consultation provides some detailed responses in relation to the proposed indicators and the supporting information in the relevant technical appendix. We would, of course, be happy to discuss these details with the SHR if this would be helpful.

Yours sincerely



Jim Martin
Ombudsman

CC: Michael Cameron, Chief Executive
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Respondent Information Form and Consultation Questionnaire

Consultation on Scottish Social Housing Charter Indicators

FEEDBACK FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Scottish Public Services Ombudsman

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

Martin

Forename

Jim

2. Postal Address

4 Melville Street

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Postcode EH3 7NS

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3. Permissions - I am responding as...

Individual / Group/Organisation
Please tick as appropriate

(a)	Do you agree to your response being made available to the public (on Scottish Housing Regulator website)? Please tick as appropriate <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(b)	Where confidentiality is not requested, we will make your responses available to the public on the following basis Please tick ONE of the following boxes
	Yes, make my response, name and address all available <input type="checkbox"/>
	or
	Yes, make my response available, but not my name and address <input type="checkbox"/>
	or
	Yes, make my response and name available, but not my address <input type="checkbox"/>

(c)	The name and address of your organisation will be made available to the public.
	Are you content for your response to be made available? Please tick as appropriate <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

What tenants and other service users can expect

Question 1

In general do you find the format for the report we are proposing to be clear and easy to understand?

Reporting on various measures using clear images is helpful and should assist tenants and other service users to understand the information. However, we have some concerns over the structure of the information being provided to tenants. Given that the SSHC was developed to enable tenants to ensure their landlords are delivering the services that tenants expect, it would seem appropriate to structure the reporting to tenants around the SSHC outcomes. The current structure, with headings of *Customer Satisfaction*, *Information for tenants* and *Information for other service users* does not reflect the Charter outcomes, and makes it more difficult to identify where the information came from. This also means that tenants who choose to follow the link to the SHR's website to find out further information will not be clear how the information they have links with other indicators.

Question 2

Have we included the right indicators?
If not what alternative would you suggest?

We welcome the inclusion of information relating to complaints. However, we would suggest that having only one indicator will not provide tenants with enough information about how their landlord is delivering services.

The RSL Model Complaints Handling Procedure (CHP) requires landlords to publicise complaints information, and we are keen to ensure that tenants can compare consistent information across the sector. The Charter Report for Tenants and other Service Users provides an ideal opportunity for them to do so, but only if more of the information collected by the SHR in relation to complaints is shared with tenants. We would therefore recommend that the indicators in this report include, as a minimum:

- *The number and percentage of complaints responded to in full at stage 1 and 2 of the complaints procedure*
- *the number and percentage of complaints upheld at each stage*
- *The number and percentage of complaints at stages 1 and 2 of the complaints procedure which were responded to in full within the timescales of 5 and 20 working days*

This would provide tenants and service users with a more meaningful level of information in relation to complaints handling and service provision more generally.

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Question 3

Are there any other changes or improvements you would like to see?
If so, what are these?

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The Indicators

Question 4

Are there any indicators that you feel are not appropriate and, if so, why?

<p>We are very pleased to see reference to the Scottish Public Service Ombudsman (SPSO) model Complaints Handling Procedures (CHP) for RSLs and Local Authorities in the communication outcome indicators, and welcome the links to the two stage complaints process. In particular, the second and third communication indicators are helpful as they provide clear indications of whether an organisation has implemented the SPSO model CHPs. This will be a key part of how the SPSO will be monitoring our requirements for compliance under the Public Service Reform (Scotland) Act 2010. It therefore provides a valuable basis for future joint working.</p> <p>We consider that, substantially, the indicators you suggest in relation to complaints are appropriate. However, we would suggest some minor amendments to the indicators in the consultation document, to ensure they are as robust as possible.</p> <p>We welcome references in the technical appendix on Communication to the SPSO model CHPs, and the requirements to record all complaints, the emphasis on delivering improvements, etc. However, we have a concern that some of the information provided in the technical appendix may be misleading, at least in the short term, and we would like to share our understanding of some definitional issues.</p> <p>We provide some details of these issues in our response to Question 5 below.</p>
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Question 5

If you think that any of our proposed indicators are not appropriate, what alternatives would you suggest?

We would suggest that measure 2.2 would be more tightly defined as:
The number and percentage of complaints responded to in full at stage 1 and 2 of the complaints procedure (as a proportion of all complaints responded to in full) and the number and percentage of complaints upheld at each stage (as a proportion of all complaints responded to in full at each stage). This ensures that there is no confusion about what is meant by 'resolved'. We would also suggest that 'responded to in full' is less confusing than 'closed' as some Stage 1 complaints will be escalated to Stage 2, so may not yet be 'closed', but have been responded to in full at Stage 1.

We would suggest that if equalities information is also important, this should be captured in an additional measure, such as:
The proportion of complaints at stages 1 and 2 that relate to equalities and the proportion of these complaints which are upheld.

Breaking the measure down in this way will ensure that RSLs are clear what information is required and will make it easier for them to provide consistent, comparable data.

In relation to measure 2.3 on timescales for responding to complaints we would suggest the following definition:
The number and percentage of complaints at stages 1 and 2 of the complaints procedure which were responded to in full within the timescales set out in the Scottish Public Service Ombudsman's model Complaints Handling Procedure of 5 and 20 working days.

In relation to the information provided in the technical appendix on *Why is this indicator important*, we would strongly recommend amending the sentence which states that '*A high level of complaints may be an indication of a failure on the landlord to communicate in the most appropriate way with its tenants and service users*'. In our view the implementation of the SPSO's RSL model CHP may see an increase in complaints numbers for RSLs and local authorities. This is because of an increased emphasis on recording all complaints and a move away from 'informal' complaints which traditionally have not been recorded.

Also, a large volume of complaints may not necessarily be an indicator of service failure, and certainly not on its own. A large volume of complaints may provide an indication of a more accessible complaints system, which is one of the main aims of the RSL and local authority model CHPs. We anticipate that numbers of complaints may partly reflect the changes in recording of complaints for the first full year of the SSHC, and that it will not be until data is available for complaints in the year to March 2015 that there should be any real expectation that high numbers of complaints figures could be seen to reflect poor service delivery. Even then, complaints volumes alone should not be seen as an indicator of poor service delivery but should be

assessed along with all other indicators as well as benchmarked against organisations providing similar services. This measure will, however, provide important information about service delivery over time, as data builds up and patterns become evident. In the short term, these measures provide a good basis for assessing whether an RSL is moving towards full implementation of the model CHP, and their performance in relation to complaints handling.

In relation to the outline definitions provided, we are currently developing more detailed definitions of complaints measures, and through this work, some definition issues have emerged. We are steering away from referring to 'complaints resolved' as whether the complaint is resolved can be difficult to determine, as, to some extent, it is up to the customer. We would suggest referring to when a complaint has been 'responded to in full'.

In relation to the percentage of complaints resolved, we suggest this is broken down into each stage, as complaints that go from stage 1 to stage 2 can complicate the measure (if all complaints received is the comparator).

As mentioned, we are currently working on further indicators for use by housing providers in their self assessment exercises. We would welcome further discussion on these issues, to develop more definitive definitions.

Question 6

Is the proposed approach to reporting landlord spending sensible?

Question 7

If not, what alternatives would you suggest?

Contextual Information

Question 8

Is the contextual information we propose to collect appropriate?



Question 9

Are there any pieces of information we have identified that you feel do not need to be included or have been missed?

We understand that the measures set out in the consultation document are linked to the high level, risk based, proportionate approach that the SHR will be using in their interventions with RSLs. However, we see a need for further clarity over how these indicators link to any self assessment carried out by RSLs and local authorities. Housing providers need further guidance on what information they should be gathering through self-assessment, so that suitable information is available for bench marking and for potential inspection purposes, should the need arise. It is not sufficient to rely on existing benchmarking groups to provide this guidance, given the widely varying use of these groups across the sector. The level of information that is due to be gathered through these indicators is insufficient to produce really meaningful statistics about a housing provider's complaints handling performance.

The SPSO are aware that housing providers are currently making adjustments to their IT systems to ensure they capture the appropriate information, and it is therefore important that they are provided with appropriate guidance as soon as possible.

Responding to the consultation

We would prefer that consultation responses are submitted to us electronically, however we will accept written responses to the consultation. We are inviting responses to this consultation paper by **24 August 2012**. Please send your response to:

consultation@scottishhousingregulator.gsi.gov.uk or write to:

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Website: www.scottishhousingregulator.gov.uk