

### **Housing Options Appraisal Complaint about the Consultation Survey**

This appendix provides a chronological account the Council's response to the complaint about the consultation survey and the outcome of its investigation.

On 14<sup>th</sup> April 2005 the Trade Unions sent a letter to the Leaders of the political parties regarding a tenant complaint into the door knocking survey undertaken by BCHS. This survey followed on from a postal survey that had not delivered a sufficiently high response. The postal survey was also undertaken by BCHS.

A senior officer was asked to investigate after some delay to enable them to confirm the tenants agreement. The unions provided details of the complaint and BCHS were also contacted.

On 27<sup>th</sup> April the investigating officer met with the tenant in the unions' presence. The complainant advised that two forms had been completed by the interviewer and that one of them said she wanted transfer when in fact she wanted retention. The investigating officer advised BCHS of the name and address of the tenant to enable the form to be found.

On 5<sup>th</sup> May the investigating officer spoke to BCHS who said they could not find the form but had identified the interviewer who could not remember the visit.

On 6<sup>th</sup> May BCHS advised that they had found the form and faxed a copy. The data on the form corresponded with the preference expressed by the tenant (i.e. retention). BCHS were asked for further information as a sample check i.e. a sample of other completed forms. BCHS were also asked to provide the data input entry for the complainant to show that the entries on the form had been correctly transferred.

On 9<sup>th</sup> May the investigating officer met with the employees who had raised the matter through the unions. The employees advised that the tenant had expressed concern about the interviewer and they had felt it necessary to bring the complaint forward to their unions.

Also on 9<sup>th</sup> May BCHS made a presentation to councillors at the Guildhall regarding the survey results and were again asked for sample data.

On 10<sup>th</sup> May the input extract was received from BCHS. This was in the form of a single entry onto an excel spreadsheet. This data accurately reflected the information on the completed form. BCHS advised the investigating officer that they could not send information regarding other interviewees due to data protection issues.

Further discussions about the data protection issues took place and on 12<sup>th</sup> May BCHS were still stating that they were not happy for NBC to have a sample. However, they accepted that there were some anomalies in the inputting. In-putters had not had written instructions. Audit were put on stand by to go and check data at BCHS offices as they indicated they may allow that but would not release the data from their offices.

On 13<sup>th</sup> May BCHS were requested again to provide data. They refused and asked for the request in writing. An E-mail request was sent at 6.30pm, as BCHS had indicated that they would not be able to look at it until that evening due to college attendance.

On 16<sup>th</sup> May, the date the council was due to debate the housing options appraisal report, an e-mail was received from BCHS stating that they would try to help but it was outside the contract, would take a lot of work and would be chargeable. The investigating officer advised BCHS that the Chief Executive was now insisting the data be provided and that no payment would be made. BCHS finally agreed at 11.40am to allowing staff to access the data at their Birmingham offices subject to a data protection disclaimer being signed. Staff travelled up to visit the office and found that on 100 cases sampled 113 errors were found. This was not made apparent until their return to the office on the

afternoon of 16<sup>th</sup> May at 17.30. Staff reported that some of the errors involved the preferences people had expressed. The Chief Executive was immediately informed and Group leaders were brought together to be told the position. The Chief Executive advised Councillors that on the basis of the evidence now held, it would be unsafe to make a decision that evening. A decision was made at that point, based on the information available that it would be prudent to withdraw the report from that evening's meeting to enable further investigations to be undertaken. A press release was issued.

The Chief Executive reported the whole situation to the police for investigation on 17<sup>th</sup> May. It was also agreed to set up two councillor led investigations, one to look at moving the decision making process forward and one to look at what had happened to date.

A letter was sent to BCHS on the morning of 17<sup>th</sup> May advising them that the decision had been deferred and that the council needed to check the survey data – two auditors were sent to the BCHS offices to collect the survey forms and the database. They were refused access to this and eventually left at 18.30 after the Chief Executive requested that BCHS be advised that the council would consider legal action to gain access.

On 18<sup>th</sup> May BCHS telephoned and said they would attend the Guildhall and would bring the data and the forms with them. This meeting took place with the investigating officer and audit. Notes of the meeting were agreed with BCHS. A draft was prepared for potential procurement of a new survey. Audit took the data with them to re-input it and re-analyse.

The investigating officer met with the police on 19<sup>th</sup> May and briefed them regarding the situation. Following the investigation, the police concluded that there was currently no evidence of criminal activity.

On 24<sup>th</sup> May audit gave an initial view on the 25% sample from the door-knocking survey on 24<sup>th</sup> May. The input of the results of the most preferred option reflected the findings of the original analysis supplied by BCHS. Before re-inputting the data, audit checked the instructions that had been issued to inputters by BCHS. They were advised that no written instructions had been given. BCHS provided verbal information to audit on the approach taken. Audit documented these to ensure a consistent approach to the re-input.

The moving forward team commenced meetings on 25<sup>th</sup> May 2005. The meeting opened with a briefing on the audit work. This work had been discussed with GOEM who had indicated that as the data had been validated there should be no need for a further survey.

It was agreed this would be discussed with leaders and if it was agreed that no further survey was necessary, then a press statement would be issued.

On 24<sup>th</sup> May Tamworth Council contacted the investigating officer as they used BCHS and were due to make a decision on options the following day. Following a sharing of information to date, their meeting went ahead.

A letter was sent to all tenants on 25<sup>th</sup> May advising that the meeting had been deferred and that they would be advised as soon as possible of when a decision would be made on the options.

An independent investigator was appointed on 27<sup>th</sup> May to review the process prior to the 16<sup>th</sup> May. He started work on 6<sup>th</sup> June.

On 1 June the investigating officer contacted GOEM to further discuss the work undertaken by audit. The postal results were separate to the door knocking ones with the door knocking showing 50% retention and 32% transfer, compared to 52% retention and 30% transfer on the postal survey. BCHS had combined both results on their analysis. GOEM advised that this was acceptable and that it would address any concerns there may be regarding the potential for people to have expressed a view twice – i.e. on both surveys. GOEM did not think there was a need to re-survey and in fact they would be more concerned if further work was undertaken.

On 2 June the second "looking forward" group meeting was held. It was agreed that there was no need for a further survey. Unions had requested representation on both review groups and this was

agreed. The “looking forward” group did not anticipate that they would have more than one meeting to finalise the process.

On the 9<sup>th</sup> June the Chief Executive and Leaders of the three political parties met with the Housing Minister Yvette Cooper to give an update on the council’s progress on the housing options appraisal process. The Minister was informed that a thorough audit had been carried out of the data from the tenant consultation . The audit has confirmed that the data is reliable so no further consultation exercise needs to be carried out.

On the 10<sup>th</sup> June the independent external investigator reported to the ‘looking back group’ that he had conducted interviews with all relevant Council staff and external stakeholders involved in the Housing Options Appraisal process. He had also interviewed eleven tenants. He reported that in his view the process was satisfactory and that there was no evidence to indicate that it had not been carried out properly.

