

# Complaints to the Housing Ombudsman Service by the Council's 'Landlord Service' for 2023/2024.

<b>Committee name</b>	Residents' Services Select Committee
<b>Officer reporting</b>	Rod Smith – Housing Landlord Programme Manager
<b>Papers with report</b>	Appendix 1 – Housing Complaints Performance & Service Improvement Report – June 2024 Appendix 2 – Online submission to the Housing Ombudsman Service – June 2024
<b>Ward</b>	All

## HEADLINES

This item presents the first statutory submission on Complaints to the Housing Ombudsman Service by the Council's 'Landlord Service' for 2023/2024.

## RECOMMENDATIONS

That the Committee:

- 1. Notes the 2023/24 submission to the Housing Ombudsman Service by the Council's 'Landlord Service' as part of meeting new Regulatory requirements.**
- 2. Notes the recommendation to report to the Residents' Services Select Committee as part of the governance process on future annual submissions to the Housing Ombudsman Service, effective from 2024/25.**

## SUPPORTING INFORMATION

The new proactive regulatory regime for social housing providers came into force from April 2024. Following the tragic fire at Grenfell Tower in 2017 and the death of Awaab Ishak in 2020, the Government has been working with the social housing sector and tenants to strengthen the voice of residents and introduce new legislation to ensure the quality of homes.

The Social Housing (Regulation) Act 2023 forms a new era of regulation for the social housing sector, aiming to give tenants greater powers and improve access to quick and fair solutions to problems. Further information on the full regulatory framework can be found at <https://www.gov.uk/government/organisations/regulator-of-social-housing>

Key to the objective of driving up standards has been the development of a set of four new consumer standards. These outcome based standards apply to all social landlords, including the Council. Under the new standards landlords will need to:

- ensure tenants are safe in their homes
- listen to tenants' complaints and respond promptly to put things right
- be accountable to tenants and treat them with fairness and respect
- know more about the condition of every home and the needs of the people who live in them
- collect and use data effectively across a range of areas, including repairs

The four consumer standards are:

- The Safety and Quality Standard which requires landlords to provide safe and good-quality homes for their tenants, along with good-quality landlord services.
- The Transparency, Influence and Accountability Standard which requires landlords to be open with tenants and treat them with fairness and respect so they can access services, raise concerns when necessary, influence decision making and hold their landlord to account.
- The Neighbourhood and Community Standard which requires landlords to engage with other relevant parties so that tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes.
- The Tenancy Standard which sets requirements for the fair allocation and letting of homes, as well as requirements for how tenancies are managed by landlords.

The Transparency, Influence and Accountability Standard makes specific reference to complaints including the following expectations:

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

*Registered providers must provide accessible information to tenants about:*

- *how tenants can make a complaint about their registered provider*
- *the registered provider's complaints policy and complaints handling process*
- *what tenants can do if they are dissatisfied with the outcome of a complaint or how a complaint was handled, and*
- *the type of complaints received and how they have learnt from complaints to continuously improve services'.*

The Code of Practice, which seeks to amplify aspects of the Consumer Standards and how they should be interpreted, goes on to say in relation to complaints that:

Addressing complaints fairly, effectively and promptly is essential for registered providers to build trust with tenants. Registered providers should make every effort to ensure that tenants are aware of their complaints process. Tenants should be able to raise a complaint easily and should be listened to by their landlord when they do so.

In addressing complaints, registered providers should ensure that they provide regular updates to affected tenants about the progress they have made to resolve the complaint fairly and the next steps they plan to take, with clear timescales.

In meeting this outcome, registered providers are expected to consider relevant requirements of other bodies, including those of the Housing Ombudsman and specifically their Complaint Handling Code.

Complaints present registered providers with valuable insight into tenants' experiences of interacting with their landlord. Registered providers should make good use of this learning in order to improve services for tenants, bringing about change at a service or organisational level where appropriate. As part of this learning, registered providers should analyse trends and themes from complaints data.

Working alongside the Regulator of Social Housing is the Housing Ombudsman Service. Further information on the Housing Ombudsman Scheme can be found at <https://www.housing-ombudsman.org.uk> The Social Housing (Regulation) Act 2023 empowered the Ombudsman to issue a code of practice about the procedures members of the Scheme should have in place for considering complaints. This is mandatory for social housing landlords. This statutory code came into effect from 1<sup>st</sup> April 2024 alongside the Ombudsman's duty to monitor compliance. The Code Compliance Framework sets out the requirements placed upon social landlords as part of making its statutory annual submission by 30<sup>th</sup> June each year. The Code Compliance Framework can be found at <https://www.housing-ombudsman.org.uk/landlords-info/complaint-handling-code/>

The annual submission is divided into two main sections which can be summarised as:

- Key information about the landlord organisation.
- Confirmation that the landlord is compliant with each provision of the Complaint Handling Code.

As set out in Appendix 2, there are three elements of the Complaints Handling Code which the Council has recorded as 'non-compliant' within its first self-assessment. A summary of these three elements and the timeline for completion is set out below:

<b>Code provision and current position</b>	<b>Compliant</b>	<b>Timeline for compliance</b>
Code Provision 3.5 The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code. The Council publicises this in a limited way in that our policy and information about the code is on the Council's website. It was also published in our e-newsletter to residents - May 2024. Officers will be exploring how to publicise our policy more widely through presentations and newsletters by September 2024.	No	September 2024
Code Provision 5.6 When a complaint is logged at stage 1 or escalated to stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will	No	August 2024

<p>refer to this as “the complaint definition”. If any aspect of the complaint is unclear, the resident must be asked for clarification.</p> <p>Officers currently acknowledge receipt of all complaints but do not set out our understanding of the complaint.</p>		
<p>Code Provision 9.8</p> <p>Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:</p> <ul style="list-style-type: none"> <li>- have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments</li> <li>- take collective responsibility for any shortfalls identified through complaints, rather than blaming others</li> <li>- act within the professional standards for engaging with complaints as set by any relevant professional body</li> </ul> <p>We have no express references within relevant Job Descriptions.</p>	<p>No</p>	<p>December 2024</p>

As part of compliance in scrutiny and oversight, landlords are required to:

- Produce an annual complaints performance and service improvement report for submission to the governing body;
- Produce a response from the governing body; and
- Publish both of these documents on their website.

Moving forward, to better align the Council’s approach to this area of compliance associated with governance, the Landlord Service proposes to report into the Residents’ Service Select Committee ahead of the annual submission date of 30<sup>th</sup> June each year. Complaints handling within the Landlord Service will continue to form part of the wider annual corporate complaints report which is submitted each autumn to Corporate Resources & Infrastructure Select Committee. The 2023/24 submission to the Housing Ombudsman Service has been published on the Council’s website in line with the regulatory requirement.

## PERFORMANCE DATA

The Council’s first statutory submission to the Housing Ombudsman can be found at **Appendices 1 and 2**. This includes a written report and an on-line submission.

## RESIDENT BENEFIT

In line with key objectives set out in the Transparency, Influence and Accountability Standard, the

annual complaint performance and service improvement report to the Housing Ombudsman is evidence of the Council's compliance with the Complaint Handling Code and this specific consumer standard.

## **FINANCIAL IMPLICATIONS**

None.

## **LEGAL IMPLICATIONS**

None.

## **BACKGROUND PAPERS**

NIL.

## **APPENDICES**

Appendix 1 – Housing Complaints Performance & Service Improvement Report – June 2024

Appendix 2 – Online submission to the Housing Ombudsman Service – June 2024