

**REPORT TO**

**SAFER NEIGHBOURHOODS AND ACTIVE COMMUNITIES  
 SCRUTINY BOARD**

**17 December 2020**

<b>Subject:</b>	Housing Ombudsman Complaint Handling Code
<b>Cabinet Portfolio:</b>	Cabinet Member for Homes Councillor Allcock
<b>Director:</b>	Executive Director – Neighbourhoods Alison Knight
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	Colette Knight/Sean Russell- Customer Feedback Coordinators

**DECISION RECOMMENDATIONS**

**That the Safer Neighbourhoods and Active Communities Scrutiny Board:**

1. Considers the approach undertaken to assess current practices for customer feedback in housing against the Housing Ombudsman’s Code and deems this as satisfactory in order to ensure ongoing compliance.

**1 PURPOSE OF THE REPORT**

- 1.1 To articulate the key themes and actions of the Housing Ombudsman Complaint Handling Code and to provide assurance to the Board that the statutory requirements of the Code have been identified and considered as part of the process to comply with the new regulations.

## **2 IMPLICATIONS FOR VISION 2030**

- 2.1 The Housing Ombudsman Complaint Handling Code contributes to several of the priorities in Vision 2030 including: -

Ambition 1 - Sandwell is a community where our families have high aspirations and where we pride ourselves on equality of opportunity and on our adaptability and resilience.

Ambition 8 - Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.

Ambition 10 - Sandwell now has a national reputation for getting things done, where all local partners are focused on what really matters in people's lives and communities.

## **3 BACKGROUND AND MAIN CONSIDERATIONS**

- 3.1 The Housing Ombudsman Complaint Handling Code was published in July 2020. Its purpose is to address concerns raised by residents about their experience of the complaint handling process and provide guidance to landlords on how they can achieve excellence in complaint handling. The Code seeks to set common expectations across the housing sector by introducing a universal definition of a complaint, define maximum complaint handling timescales, positively promote reviews of complaints by residents and encourage boards and accountable bodies to demonstrate learning through an Annual Report.
- 3.2 From 1 January 2021, following the landlord's self-assessment against the Code, The Housing Ombudsman will commence issuing of complaint handling failure orders, which is one of their new powers. It is expected that The Housing Ombudsman will be proportionate in their use of them and provide landlords with the opportunity to put things right. They will also give landlords insight into where their policies or procedures are failing, often and suggest remedial actions
- 3.3 As part of the resident review workstream, the Customer Feedback Team have been engaging with Sandwell Community Information and Participation Service (SCIPS) to look at the current information available to our residents and to work through the self-assessment process.
- 3.4 Three virtual meetings were held with members of SCIPs to look at the new requirements of The Housing Ombudsman's Complaint Handling Code and identify what information was already available to our residents and tenants. This work identified a lack of complaints information was

available via the council website or in some instances it was not particularly accessible. This gap is being addressed by timely and simple to understand complaint information being introduced onto the councils website.

## 4 THE CURRENT POSITION

4.1 The Housing Ombudsman Complaint Handling Code is well structured in its requirements and expectations for landlords to comply with the Code. As a result of an initial self-assessment and working with SCIPs there was a lack of information available on the following requirements:

- Definition of a complaint
- No exclusions to the policy where a complaint will not be considered
- Any evidence that exclusions were fair to residents
- Complaint policy was not online
- No information at what stage most complaints get resolved
- No available data to identify when responses are sent out within the Code timescales
- A lack of improvements made as a result of learning from complaints
- How we share lessons learnt with our residents, the board and in our annual report.

An action plan has been produced which details our responses to the gaps contained within the self-assessment. Some of the key work required to address the gaps is identified in 4.2-4.5.

4.2 To ensure compliance with the Code, the Customer feedback team has undertaken work on producing a revised Customer Feedback Guide (see Appendix 3) which has information on the definition of a complaint as well as what exclusions could apply where a complaint will not be considered. The Customer Feedback Guide has not replaced any procedures or policies that are currently available in the public domain, it's purpose is merely to pull everything together for the Council in one user friendly guide.

4.3 We have worked with SCIPs residents group to obtain evidence where any exclusions to the policy would be seen as fair to our tenants.

4.4 The Customer Feedback Team are working with the Service Manger – Housing Management to produce an online housing dashboard which demonstrates data on; how many housing complaints we have received in the previous financial year; when complaints are answered and at what stage; complaints that are upheld/not upheld; amount of compliments and comparisons of Stage 1 and Stage 2 complaints compared to previous years.

- 4.5 Analysis of the 'lessons learnt' section of The Code, identified the need for the analysis of all Stage 1 and Stage 2 complaints for the period of April 2020 - September 2020. This has identified examples of proactive changes to processes and policies initiated by the analysis of complaint trends and activities. It is intended to publish these examples on our website to demonstrate our progressive approach to learning from complaints.

## **5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)**

- 5.1 As part of the development of The Housing Ombudsman's Complaint Handling Code, meetings have been held with key internal stakeholders from across the council, which included working with colleagues from The Children's Trust and Adult Services. Active consultation with the voluntary and community sector has been through meetings with residents from Sandwell Community Information and Participation Service. Due to the timescales and the current Covid-19 pandemic these meetings happened over a six-week period and were held virtually. This group will be utilised to test out any continuous improvement activity on an ongoing basis.

## **6 ALTERNATIVE OPTIONS.**

- 6.1 If the Council chooses to not engage and be compliant with The Housing Ombudsman's Complaint Handling Code, we will be in breach of our Membership of The Housing Ombudsman's Scheme. There is a potential risk of complaint handling failure orders being served against the council, which would result in adverse publicity. Residents will not benefit from an improved customer experience if we are not proactive in learning from our complaints.

## **7 STRATEGIC RESOURCE IMPLICATIONS**

- 7.1 There are no strategic resource implications arising from the report.

## **8 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 8.1 The work undertaken is in line with requirements placed on the Council by the Housing Ombudsman.

## **9 EQUALITY IMPACT ASSESSMENT**

- 9.1 An equality impact assessment was not required for this proposal. An initial scan was undertaken and as there had not been any significant changes to policies or procedures and equality impact assessment was

not deemed necessary. Any future changes will be reviewed in the same way.

## **10 DATA PROTECTION IMPACT ASSESSMENT**

10.1 There are no data protection implications arising from this report

## **11 CRIME AND DISORDER AND RISK ASSESSMENT**

11.1 There are no crime and disorder implications arising from the report.

## **12 SUSTAINABILITY OF PROPOSALS**

12.1 The proposals will ensure that the complaints process and guide will be fit for purpose and improvements can be continuously be introduced by the Council.

## **13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)**

13.1 There are no direct health and wellbeing implications arising from the report.

## **14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

14.1 The proposals will support the effective dealing of complaints related to any council managed property or land.

## **15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

15.1 The Scrutiny Board is invited to consider the information presented to it and identify any recommendations it may wish to make in relation to this matter.

## **16 APPENDICES:**

Appendix 1 – Presentation

Appendix 2 – Housing Ombudsman Self-Assessment

Appendix 3 – Web Page

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