

Housing

Ombudsman Service

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14 July 2022

Who are we?

- ▶ **Ombudsman is an advocate for fairness – independent and impartial**
- ▶ **Our dual role:**
 - make final decisions in disputes between members & residents
 - support dispute resolution & promote positive change in sector
- ▶ **Respond to a call every two minutes**

Annual Complaints Review

- ▶ **Overall performance:**
 - 49% mal rate 2020/21, 66% mal rate for handling
- ▶ **Landlord type:**
 - variations between size of landlord on property condition, complaint handling and ASB
- ▶ **3,455 orders and recommendations** in 2020/21
- ▶ Around half of complaints raised in Greater London

What can lead to maladministration

- ▶ Strategic challenges – inadequate record keeping, ineffective repairs
- ▶ Operational challenges – missed appointments, poor communication

Complaint Handling Code

- ▶ **No postcode lottery** on complaint handling – framework to support effective, consistent and fair complaint handling, including:
 - ▶ Universal definition and handling times
 - ▶ Positive culture and learning
 - ▶ **Complaint Handling Failure Orders**

Code – what's changed?

- ▶ **Strengthened Code published in April 2022.**
- ▶ No major changes but strengthened in three specific areas:
- ▶ Increased obligations on landlords to **raise awareness** of its complaints process and the Ombudsman
- ▶ Sets out good practice for **staff** and for members of **governing bodies**
- ▶ Reinforces importance of **learning** from complaints – annual self-assessment

Revisions in detail

- ▶ Accessibility – more than one avenue – and publicity for complaints
- ▶ Clarity on service request/complaints
- ▶ Proposed extensions must be agreed and can be challenged via Ombudsman
- ▶ Don't delay process unduly due to outstanding actions
- ▶ Different reviewers at Stages 1 & 2
- ▶ Report on learning and improvements in annual report to tenants
- ▶ Role of governing bodies – member with lead complaints responsibility
- ▶ Standard objectives for employees – collective responsibility, rather than a blame culture

Compliance

- ▶ Landlords expected to comply, annually self-assess and report to governing bodies the outcome – denotes ‘must’ and ‘should’
- ▶ Good practice to engage residents in self-assessment
- ▶ Next self assessment and compliance due by 1 October 2022.
- ▶ Complaint Handling Code proposed to become statutory under the Social Housing Regulation Bill

Inquisitorial

Paragraph 50 of the Scheme:



The Ombudsman may conduct further investigation beyond the initial complaint or landlord to establish whether any presenting evidence of service failure is indicative of a systemic failing. Where this is the case it will be referred to the appropriate regulatory body.



Thematic reports

- ▶ **Heating, hot water and energy (February 2021)** identified need for more effective contract management, focus on 'right first time' and issues with heat networks
- ▶ **Cladding (May 2021)** recommended improved communication, clear road map for all residents and consideration of individual circumstances
- ▶ **Damp & mould (October 2021)** proposed proactive approach – 'not lifestyle', comprehensive and consolidated policy to support response, data and intelligence-led prevention, clarity on claims v complaints
- ▶ **Managing agents (March 2022)** recommended stronger oversight of agents and clearer roles/responsibilities between agents and landlords

Keeping in touch



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