

Arun District Council

REPORT TO:	Housing and Wellbeing Committee – 25 January 2024
SUBJECT:	Housing Ombudsman Complaint Handling Code annual self-assessment
LEAD OFFICER:	Sasha Hawkins – Interim Business Improvement Manager
LEAD MEMBER:	<i>Councillor Carol Birch – Chair of Housing and Wellbeing Committee</i>
WARDS:	All

CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:

The report supports the following areas in the corporate vision:

- Delivering the right homes in the right places
- Support those in our community that need help, providing a safety net where necessary and working with people and organisations to meet different needs.
- Ensure the existing housing stock in the district (private sector and council owned) is maintained to a high standard.

The report will share with members the outcome of our self-assessment against the Housing Ombudsman complaint handling code, this will ensure that the council is being transparent with the decisions made and that it is compliant against the requirements of the code, ensuring we are delivering an effective and fair complaint process.

DIRECTORATE POLICY CONTEXT:

It is a requirement of the Housing Ombudsman complaint handling code that we present an annual self-assessment to members to evidence our performance against the code and publish the results on our website.

As a member of the Housing Ombudsman scheme, we must:

- agree to be bound by the terms of the scheme.
- establish and maintain a complaints procedure in accordance with any good practice recommended by the Ombudsman.
- as part of that procedure, inform residents of their right to bring complaints to the Ombudsman under the Scheme.
- publish our complaints procedure and where applicable, our membership of the Scheme. Make information about both, easily accessible to those entitled to make complaints, via our website and in correspondence with residents.
- manage complaints from residents in accordance with our published procedure or, where this is not possible, within a reasonable timescale.

Failure to comply with the conditions of membership may result in a Complaint Handling Failure Order and a requirement to rectify within a given timescale.

FINANCIAL SUMMARY:

There are no financial implications regarding this report.

1 PURPOSE OF REPORT

- 1.1 To present to committee Housing Services self-assessment against the Housing Ombudsman's complaint handling code.

2 RECOMMENDATIONS

- 2.1 It is recommended that the Housing and Wellbeing Committee:
- 2.2 Note Housing Services compliance with the Housing Ombudsman's Complaint Handling Code.
- 2.3 Note that the self-assessment will be published on our website in accordance with the requirements of the Complaint Handling Code

3 EXECUTIVE SUMMARY

- 3.1 This report shares with members the outcome of our self-assessment against the Housing Ombudsman's Complaint Handling Code.
- 3.2 The code sets out that landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.
- 3.3 The outcome of our self-assessment must then be reported to elected members and published on our website, so it is accessible to residents.
- 3.4 Compliance with the code forms part of our membership obligations set out in the Housing Ombudsman Scheme. Non-compliance with the Code could result in the Housing Ombudsman issuing a complaint handling failure order.
- 3.5 The self-assessment set out at Appendix 1 shows that our complaint handling remains in line with the requirements of the Code.

4 **DETAIL**

4.1 **Housing Ombudsman Complaint Handling Code**

4.1.1 The complaint handling code was introduced in July 2020 and reviewed a year later with changes taking effect from 1 April 2022. The code sets out good practice for landlords to ensure complaints are dealt with effectively and fairly.

4.2 **Key areas of the code**

- Universal definition of a complaint.
- Providing easy access to the complaints procedure and ensuring residents are aware of it, including their right to access the Housing Ombudsman Service.
- The structure of the complaint's procedure - only two stages necessary and clear timeframes set out for responses.
- Ensuring fairness in complaint handling with a resident-focused process
- Taking action to put things right and appropriate remedies.
- Creating a positive complaint handling culture through continuous learning and improvement.
- Demonstrating learning in annual reports.
- Annual self-assessment against the Code.

4.3 **Self-assessment**

4.3.1 The Housing Ombudsman expects landlords to carry out an annual self-assessment against the Code and take appropriate action to ensure landlord and tenant complaint handling processes are in line with the Code.

4.3.2 Our self-assessment does not have to be submitted to the Ombudsman but may be required to be provided on request.

4.3.3 At present, where the self-assessment refers to something landlords 'must' do this is a mandatory requirement. Where the self-assessment refers to something landlords 'should' do this regarded as best practice and landlords are able to use their discretion in how they achieve this.

4.3.4 The latest annual self-assessment concludes that the council remains compliant with the Code:

- Initial logging of a complaint within Housing has been updated to improve recording and monitoring. This includes the creation of a dedicated housing complaints mailbox, overseen by the Housing Project Officer
- This is also helping us to better understand complaint trends and root

causes. We can then take action to prevent other customers experiencing the same issue. For example, after seeing problems arising with some types of repair work we have engaged alternative contractors.

- Complaint performance is now reported at various levels within the organisation, including a quarterly report to Members to enable scrutiny of our complaint handling performance.
- Complaint information is published on our website in a new section called 'Our Performance'. This provides transparency to our customers on a range of performance information including complaint data.
- Training on complaints and awareness of the Code has been added to the induction process for all new housing staff members.

4.4 Future changes

4.4.1 The Social Housing Regulation Act 2023 places the Complaint Handling Code onto a statutory footing, meaning the requirements are now mandatory. The Ombudsman is now under a duty to monitor compliance with the Code.

4.4.2 Under the Social Housing Regulation Act 2023 the Housing Ombudsman has gained new powers that means it is now able to order landlords to evaluate policy or practice to prevent service failures being repeated. The Ombudsman will be able to be more prescriptive in what it wants to see in policy reviews.

4.4.3 Between September and November 2023, the Housing Ombudsman conducted a consultation on a new Complaint Handling Code which set out:

- further improvements to the code
- proposals for monitoring complaints
- what else might be needed to fulfil their new duties

4.4.4 The Housing Ombudsman and the Local Government and Social Care Ombudsman have decided to jointly adopt the code with the aim of having a more consistent experience of complaint handling across housing and key local services.

4.4.5 The joint code will see a raft of changes for the wider council's approach to complaint handling, as they will be under the same obligations as Housing have been since the introduction of the Complaint Handling Code in 2020.

4.4.6 This will mean that the council will need to adapt their processes for complaint handling, and the reporting of complaints to the Ombudsman.

4.4.7 A report will be presented to Members once the new code is published that will set out any changes that are required.

5 CONSULTATION

5.1 None required.

6 OPTIONS/ALTERNATIVES CONSIDERS

6.1 This report is for noting only.

7 COMMENTS BY THE GROUP HEAD OF FINANCE AND SECTION 151 OFFICER

7.1 There are no financial implications associated with this report.

8 RISK ASSESSMENT CONSIDERATIONS

8.1 Not applicable.

9 COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

9.1 Compliance with the Complaint Handling Code is a requirement of the membership of the Housing Ombudsman Scheme and failure to comply with the Code entitles the Ombudsman to take action through its determinations and other avenues. There are no direct legal implications associated with this report, but the report forms part of the Council's ongoing work to adhere to the Code and to improve its complaints performance.

10 HUMAN RESOURCES IMPACT

10.1 No impact identified.

11 HEALTH & SAFETY IMPACT

11.1 There are no implications associated with this report

12 PROPERTY & ESTATES IMPACT

12.1 The recommendations of this report have no impact on the Councils General Fund Portfolio or the delivery of Property, Estates, and Facilities functions.

13 EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1 Please see attached at Appendix 2

14 CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1 No impact identified.

15 CRIME AND DISORDER REDUCTION IMPACT

15.1 No impact identified.

16 HUMAN RIGHTS IMPACT

16.1 There are no implications identified.

17 FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1 There are no implications identified.

CONTACT OFFICER:

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BACKGROUND DOCUMENTS:

Appendix 1 – Self-assessment against the Complaint Handling Code

Appendix 2 – Equality Impact Assessment