

THE HOUSING OMBUDSMAN'S COMPLAINT HANDLING CODE

1. INTRODUCTION

- 1.1 The Housing Ombudsman Service has published a new Complaint Handling Code in July 2020, see Appendix 1. This provides a high-level framework to support effective handling and prevention of complaints alongside learning and development.
- 1.2 This report seeks to provide the Housing Overview & Scrutiny Panel with an overview of the Housing Ombudsman's new Complaint Handling Code and the requirements for the Council to ensure full compliance.

2. BACKGROUND

- 2.1 The Code is part of the new powers in a revised Housing Ombudsman Scheme and sets out the requirements to ensure that landlords respond to complaints effectively and fairly. As well as setting out expectations for boards, senior executives and front line staff, the Code will help tenants in knowing what to expect from their landlord when they make a complaint and how to progress their complaint.
- 2.2 All Landlords were asked to self-assess against the Code by the 31 December 2020 and publish their results. The Council's self-assessment can be found at Appendix 2. As can be seen, the Council fares favourably against the requirements of the Code with the Council's existing procedures reflecting the Code to a large extent.
- 2.3 The Code was introduced to ensure greater consistency across landlords' complaints procedures following the five core themes in the Government's Social Housing Green Paper (a new deal for social housing).
- 2.4 The key areas of the Code are:
 - Universal definition of a complaint
 - Providing easy access to the Council's complaints procedure and ensuring tenants are aware of it, including their right to access the Housing Ombudsman Service
 - The structure of the complaints procedure, including timescales for responses
 - Ensuring fairness in complaint handling with a tenant-focused process
 - Taking action to put things right and appropriate remedies
 - Creating a positive culture in complaint handling through continuous learning and putting things right
 - Demonstrating learning in Annual Reports
- 2.5 The Council is expected to report the outcome of the self-assessment to Members. The Housing Ombudsman Service may request sight of the self-assessment and supporting evidence and may require the Council to repeat the self-assessment following a significant change to the Council's structure or following any amendments to the Code.
- 2.6 The Housing Ombudsman Service encourages the involvement of residents panels in looking at complaint policies and procedures and considers they may have a role to play in dispute resolution. This aspect will be considered further in conjunction with any changes arising from the Social White Paper- see paragraph 2.8 below.

- 2.7 When a tenant remains dissatisfied at the end of the Council's complaints process, they may bring their complaint to the Housing Ombudsman Service. The Council shall co-operate with the Housing Ombudsman Service requests for evidence and provide this within the timescales laid out in the Code. The Council must provide an explanation to the Housing Ombudsman Service for any delays and, if the explanation is reasonable, the Housing Ombudsman Service will agree to a revised date. Failure to provide evidence in a timely manner may result in the Ombudsman issuing a complaint handling failure order.
- 2.8 The Code requires the Council to share its learning from complaint outcomes with its tenants. Officers are also currently assessing the Social Housing White Paper which places greater emphasis on tenant engagement and feedback. As a result, several actions are currently being delivered to enhance tenant scrutiny and monitoring. One such activity is service specific digital satisfaction forms which are used to collate improvement plans. These will be scrutinised by the Tenant involvement Group (TIG) and the outcomes published in future.

3. FINANCIAL IMPLICATIONS

- 3.1 There are none.

4. ENVIRONMENTAL AND CRIME AND DISORDER IMPLICATIONS

- 4.1 There are none.

5. EQUALITIES IMPLICATIONS

- 5.1 The Council's Complaints process meets with the principles of the 'Fairness in Complaint Handling' criteria in the Code. In accordance with the Equality Act 2010 complainants' individual circumstances are taken into account when facilitating the receipt of complaints, reviews and delivery of complaint outcomes.

6. RECOMMENDATION

- 6.1 That the Housing Overview and Scrutiny Panel acknowledges the requirements within the Housing Ombudsman's Complaint Handling Code.

Further Information:

Grainne O'Rourke
Executive Head of Governance & Housing
Tel: 023 8028 5076
E-mail: grainne.orourke@nfdc.gov.uk

Brian Byrne
Service Manager - Estates Management & Support
Tel: 023 8028 5089
E-mail: brian.byrne@nfdc.gov.uk

Richard Knott,
Service Manager - Housing Options, Rents, Support & Private Sector Housing
Tel: 023 8028 5242
E-mail: richard.knott@nfdc.gov.uk