



# Uttlesford District Council

Chief Executive: Peter Holt

## Housing Board

**Date:** Thursday, 7th December, 2023  
**Time:** 12.30 pm  
**Venue:** Committee Room - Council Offices, London Road, Saffron Walden,  
Essex CB11 4ER

**Chair:** Councillor A Coote  
**Members:** Councillors S Barker, A Dean, G Driscoll, C Fiddy, R Freeman,  
P Lees (Vice-Chair), C Martin, B Regan and M Tayler

**Tenant and Leaseholder Panel Representatives:** John Cotier (Chair) and Susan Ovel (Vice-Chair)

## AGENDA

- 1 Apologies for Absence and Declarations of Interest**  
To receive any apologies for absence and declarations of interest.
- 2 Minutes of the Previous Meeting** 3 - 5  
To consider the minutes of the previous meeting.
- 3 Update on Regulatory Framework for Housing** 6 - 15  
To receive a presentation from Kerry Clifford.
- 4 Tenant Satisfaction Measure Survey Results** 16 - 25  
To receive a presentation from Judith Snares.
- 5 Update on Rent Setting** 26 - 36  
To consider the Update on Rent Setting report.

- 6 Tenant and Leaseholder Panel - New Chair and Vice Chair**  
To receive an update from the Tenant and Leaseholder Panel.
- 7 Independent Housing Ombudsman's Scheme Complaints Handling Code Self Assessment** 37 - 57  
To consider the Self Assessment Independent Housing Ombudsman Scheme Complaints Code report.
- 8 Timeline for completion of the Housing Revenue Account Business Plan** 58 - 61  
To receive a report on the timeline for the completion of the Housing Revenue Account Business Plan.
- 9 UNSL Update** 62 - 65  
To note the UNSL Update.
- 10 Development Update - verbal**  
To receive a Developmental Update.
- 11 Housing Key Performance Indicators**  
To receive Housing Key Performance Indicators, (information to be received at the meeting).

**For information about this meeting please contact Democratic Services**

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**General Enquiries**

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# Agenda Item 2

**HOUSING BOARD held at COMMITTEE ROOM - COUNCIL OFFICES,  
LONDON ROAD, SAFFRON WALDEN, ESSEX CB11 4ER, on THURSDAY,  
19 JANUARY 2023 at 11.00 am**

Present: Councillor A Coote (Chair)  
Councillors G Driscoll, A Khan, P Lees and N Reeve

Officers in attendance: S Russell (Interim Director - Housing, Health and Communities),  
C Gibson (Democratic Services Officer) and J Snares (Housing  
Strategy and Operations Manager)

Also present: C Mandy (Chair of Tenant and Leaseholder Panel) and  
S Trimmell (Member of Tenant and Leaseholder Panel).

## HB24 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Dean, Foley, Lemon and Merifield.

## HB25 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 27 September 2022 were approved as an accurate record.

## HB26 **HOUSING REVENUE ACCOUNT - PROPOSED RENT, SERVICE AND SUPPORT CHARGES 2023/24**

The Interim Director of Housing, Health and Communities presented the report and initially took Members through the recommendations, the background and the impact of previous years' errors. She said the Council was working with Savills to develop an updated 30 year business plan for the HRA.

In response to various questions raised, it was stated that:

- An increase of 0.1% in garage rents amounted to the equivalent of 12p per week.
- It had been estimated that each 1% reduction in rent income could mean the loss of about 129 new homes over the life of the Business Plan.
- If rents were raised at levels below recommended it would impact on the ability over a longer period to deliver new homes and could impact on planned maintenance programmes.
- A Stock Condition Survey had been commissioned at a cost around £500,000 and that UDC would be looking to recover the cost from Uttlesford Norse. Without up to date stock condition data, it would not be possible to put an accurate planned work programme together.

The Interim Director of Housing, Health and Communities then took Members through the financial impact of dwelling rent increases; garage rents; service charges; Housing Related Support charges and Intensive Housing Management charges; heating, general services, water and sewerage charges; Garden Welfare. She also highlighted the Risk Analysis and the Equality and Health Impact Assessment.

Carole Mandy (Chair of the Tenant and Leaseholder Panel) reported back on their meeting held on 17 January 2023. She said that support had been given to the report but that it had not been unanimous. She highlighted additional pressures in terms of rent arrears' management, foodbanks and the large increases in sheltered housing charges.

The Housing Strategy and Operations Manager outlined the support that could be provided by UDC in respect of rent arrears management, advice on income maximisation, housing benefits advice and possible access to discretionary housing payments. We have a tenancy sustainment officer who can work with tenants and we also refer people to CAB and other advice agencies. She stated that eviction was always the last resort and we always did all that we could to avoid this.. She also explained that the sheltered housing heating charges had to be increased to recognise the significant increases in energy costs..

The Chair said that all Councillors had been given the opportunity on previous occasions to look at the Council's budget figures and said that this overall difficult situation had been caused by the National Government.

In response to further questions, it was stated that:

- The vote at the Tenant and Leaseholder Panel had been 5 in support and 2 against.
- There was a clear need for the Council to promote support that was available to help the most vulnerable and to protect those in most need.
- The proposed redevelopment of sheltered accommodation units at Alexia House and Parkside would need to be delayed until 2024/25 at the earliest but that the Walden Place redevelopment could continue as planned.

The Chair said that in many ways this was the least worst option and asked Members to vote on the recommendations.

Members agreed with "heavy hearts" to the recommendations and it was:

RESOLVED that:

1. The Housing Board recommended to Cabinet for approval increases in HRA dwelling rents as follows:
  - General needs accommodation – a 7% increase in accordance with the cap set by central government
  - Supported accommodation – a 7% increase in accordance with the cap set by central government

- Formula rents to increase by the maximum permitted amount (11.1%, equivalent to CPI+1%), to be applied only when properties are relet.
  - Temporary accommodation – rents to be increased in line with formula rents as in previous years (i.e. 11.1%).
2. The Housing Board recommended to Cabinet for approval the increases in garage rent, support charges and service charges as detailed below:
- Garage rents are increased by the September 2022 CPI of 10.1%
  - Housing related support charges are increased in line with estimated costs for 2023/24
  - Intensive housing management and housing related support charges are increased in line with estimated costs for 2023/24 as detailed in paragraph 29
  - Heating, service and sewerage charges are increased in line with estimated costs for 2023/24 as detailed in paragraphs 30-31
  - Garden welfare charges, though continuing to be subsidised, are increased by 10%.

Councillor Driscoll highlighted that the wrong year had been shown on the Equality and Health Impact Assessment Checklist paragraphs 1 and 2. This would be corrected.

**HB27 AOB**

In response to a question about possible immediate usage of Alexia House for purposes other than for sheltered housing, the Housing Strategy and Operations Manager confirmed that this had been explored previously, but due to the significant works required to make the building habitable, this was not a viable option.

As this was likely to be the last Housing Board meeting before the local elections, Members thanked Housing officers, the representatives of the Tenant and Leaseholder Panel and Democratic Services officers for all their contributions to the Board.

*The meeting finished at 12.20 pm .*



# The Social Housing Regulation Act 2023

Housing Board 7<sup>th</sup> December 2023

Kerry Clifford

# Today's session

- Background to the Act
- Main Provisions
- What does the Act mean for Social Housing?
- A six-point action plan

# The new Act – a landmark in Social Housing Regulation

- Housing and Regeneration Act 2008 created the Regulator of Social Housing
- Ending of Audit Commission Inspections of local authorities in 2010
- RSH delivers proactive regulation on rents, governance and viability
- RSH was delivering reactive consumer regulation on service provision – serious detriment test applied and reliance on self-referral and severe incidents
- Minimal interaction with local authorities with housing vs tight scrutiny of housing associations



# Events leading to Act

- Grenfell Tower Tragedy
- Hackitt Review and Grenfell Tower Enquiry
- White Paper – Residents Charter 2020
- New Building and Fire Safety Legislation
- National publicity on the state of social housing in the UK
- Housing Ombudsman issues Complaint Handling Code
- Death of Awaab Ishak arising from damp and mould in 2020
- Introduction of Tenant Satisfaction Measures

# Key Principles

- Expanded consumer regulation objectives
- Greater accountability to tenants
- Treating tenants fairly and with respect
- Focus on building safety
- Greater emphasis on neighbourhoods

# Main changes arising from the Act

- Removal of the serious detriment test – must demonstrate compliance
- Performance Improvement Plans
- Introduction of Ofsted style inspections to assess compliance
- Removing cap on fines - £5000 previously
- Shorter notice periods for conditions surveys – down from 28 days to 2 days
- Safety has been added to the fundamental objectives
- Transparency – with tenants and Regulator and sanctions for non-compliance
- A new National Tenant Advisory Panel
- MOU – Regulator, Housing Ombudsman and Building Safety agencies
- Professionalism of the housing sector – Competency Standard

# Regulatory Framework

- 22 measures combining tenant perception and landlord performance
- Mandatory annual survey, statistically valid and representable
- Prescribed requirements
- Must report back findings by summer 2024
- Providers will be ranked in a league table and poor performance will lead to regulatory intervention

# New (proposed) Consumer Standards

- Safety and Quality Standard
  - Providing safe and good quality homes and landlord services
- Transparency, Influence and Accountability Standard
  - being open with tenants, fair treatment, easy access to services and complaints, enable to influence and hold landlord to account
- Neighbourhood and Community Standard
  - engaging with other relevant parties to provide safe and well-maintained homes
- Tenant standard
  - fairly allocating and letting homes and the life-cycle of tenancies

Existing non-consumer standards still in place  
RENT STANDARD

# Actions now

- Ensure compliance with current standards
- Review compliance with complaint handling code
- Building safety legislation compliance
- Self-assessment of draft consumer standards
- Review data – h&s compliance and validate current performance (TSM's)
- Review scrutiny arrangements and engage properly with tenants (accountable persons and effective scrutiny)



# Questions

# Your Views



## Tenant Satisfaction Survey 2023

### About the Survey

In October and November 2023, many of you took part in an important survey.

The survey was carried out by telephone and online, by an independent market research company – Acuity Research and Practice. It focused on how happy you are with the way Uttlesford District Council (Uttlesford DC) maintains your homes and delivers key services. The survey also collected the Tenant Satisfaction Measures as required by the Regulator of Social Housing.

The findings will provide a view of the main drivers behind satisfaction levels and the issues tenants are most concerned about, informing Uttlesford DC's future strategic and operational planning.

This report contains key survey results regarding tenants' opinions about their homes and the services received.



**503**

tenants took part (497 by telephone) out of a total of 2,678\*

\*Sampling was used, with quotas set on tenure type, age and area to ensure the results are representative of the whole tenant base.

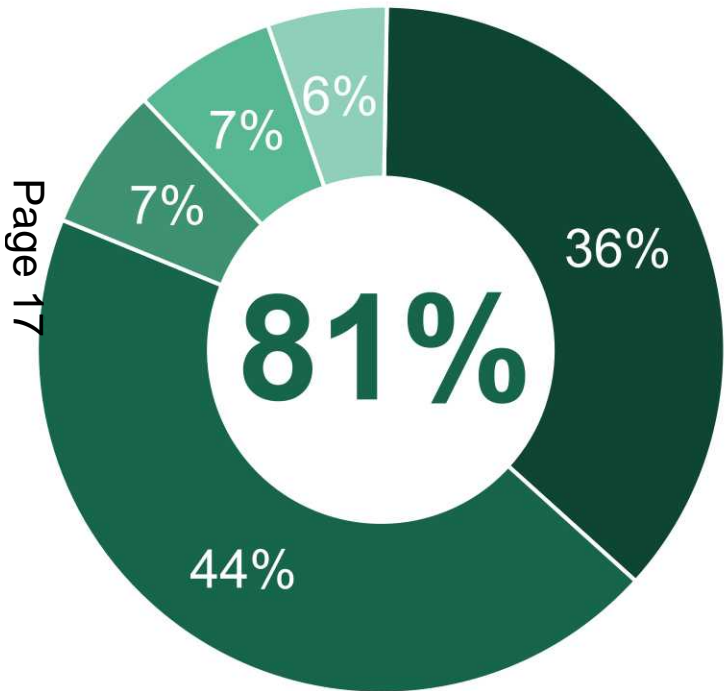
**A big thank you to everyone who took part!**



# Overall Service



Eight out of ten tenants are satisfied with the overall service provided by Uttlesford DC (81%).



- Very satisfied
- Fairly satisfied
- Neither
- Fairly dissatisfied
- Very dissatisfied



# The Home and Communal Areas



Around four-fifths of tenants are satisfied that they are provided with a home that is well maintained (**78%**).

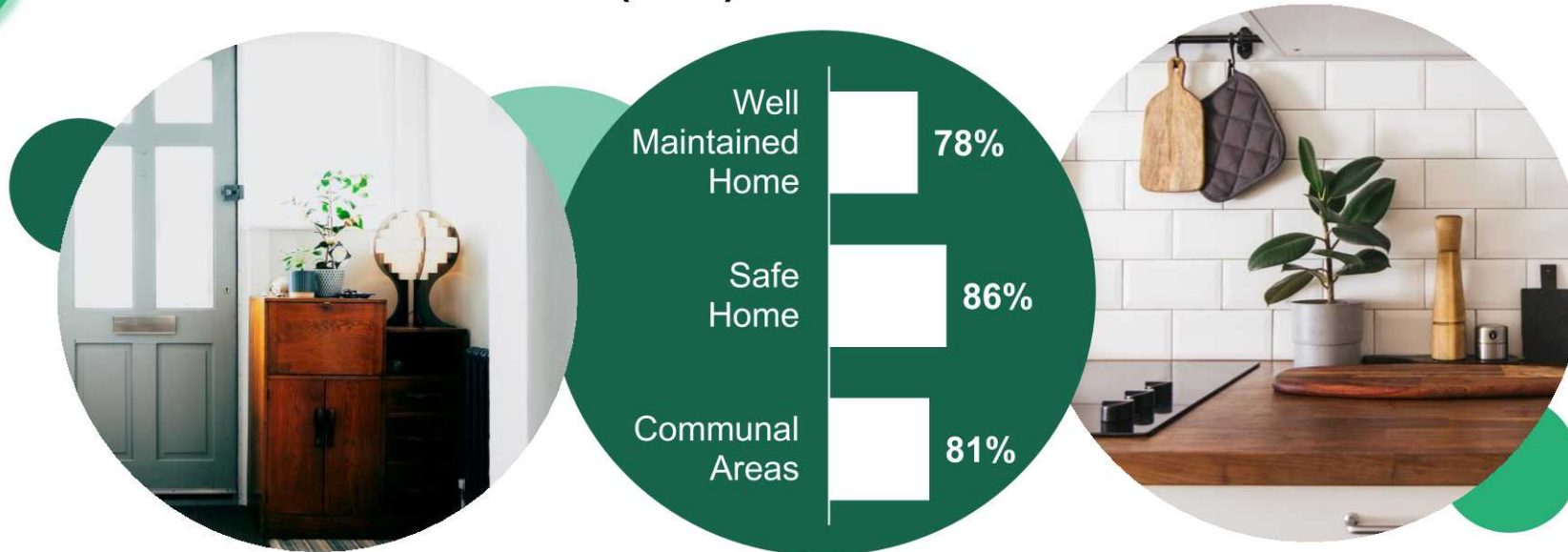


Six out of seven tenants are satisfied that Uttlesford DC provides a home that is safe (**86%**).



Eight out of ten tenants with communal areas are satisfied that they are kept clean and well maintained (**81%**).

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# Repairs Service



Two-thirds of tenants said that they had a repair carried out to their homes in the last 12 months **(66%)**.

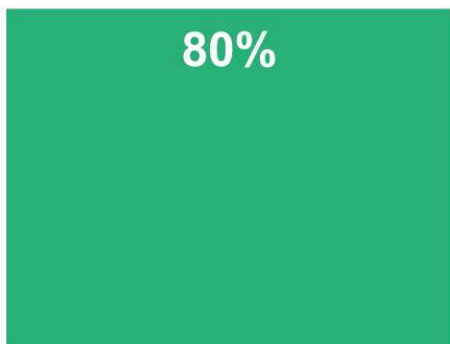


Eight out of ten of these tenants are satisfied with the overall repairs service from Uttlesford DC over the last 12 months **(80%)**.



Slightly fewer tenants are satisfied with the time taken to complete their most recent repair after they reported it **(77%)**.

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Overall Repairs Service  
(Last 12 months)



Time Taken to Complete  
Last Repair

# The Neighbourhood



Seven out of ten tenants are satisfied that Uttlesford DC makes a positive contribution to their neighbourhood (**71%**).



Tenants are similarly satisfied with Uttlesford DC's approach to handling anti-social behaviour (**70%**).

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# Communications and Tenant Engagement



Two-thirds of tenants are satisfied that Uttlesford DC listens to their views and acts upon them (**66%**).



Around six out of seven tenants are satisfied that they are kept informed about things that matter to them (**85%**).



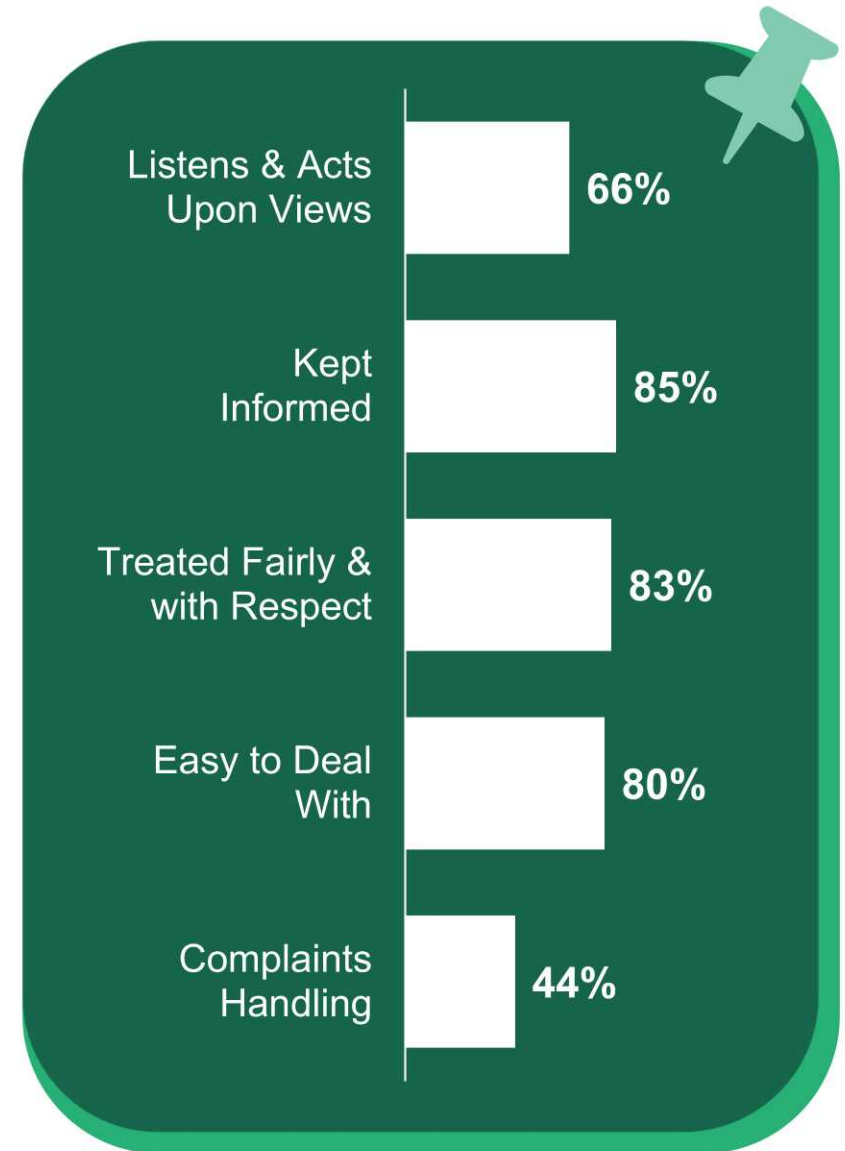
Over four-fifths of tenants agree that Uttlesford DC treats them fairly and with respect (**83%**).



Eight out ten tenants are satisfied that Uttlesford DC is easy to deal with (**80%**).



Over four out of ten tenants who made a complaint in the last 12 months are satisfied with complaints handling (**44%**).

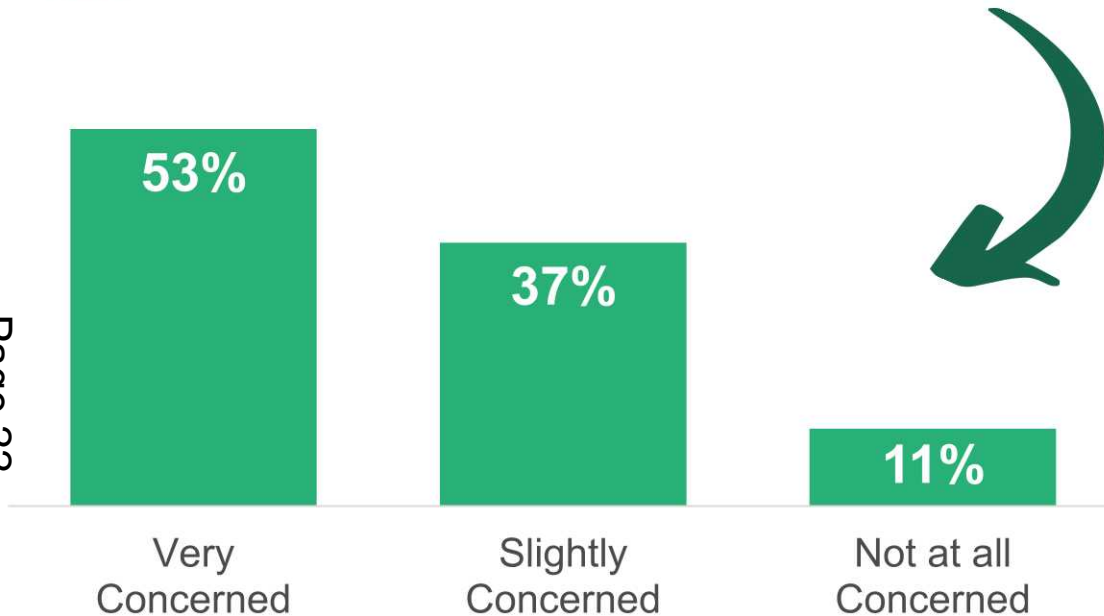


# Wellbeing



Nine out of ten tenants are concerned about the cost of living crisis (**89%**); **53%** are very concerned and **37%** are slightly concerned. Just **11%** of tenants are not at all concerned.

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Three out of ten tenants said they currently have damp or mould issues in their homes (**31%**). Of these tenants, **63%** have been contacted by the Council, Uttlesford Norse or one of their contractors.

# Tenants' Comments

Finally, tenants were asked what one thing Uttlesford DC could do to improve its services and 462 tenants gave comments.

Tenants most frequently commented upon the repairs service, including the timescales to complete repairs and outstanding or forgotten repairs that have not been dealt with.

Tenants also mentioned communications and information, such as how they are listened to, as well as home improvements they would like.

Other tenants are happy with the services currently provided and had no improvement suggestions, instead giving positive comments.

## Top comments

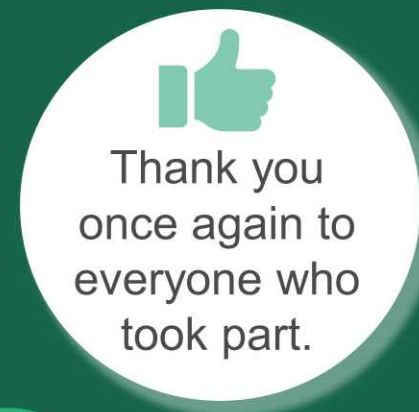


# Your Views



Uttlesford DC appreciates the time everyone took to complete the survey for us. It is important that through your feedback, we understand the services that work well and those we know can and should be, improved. Where you have said that you are happy for us to, we may contact you to discuss your survey responses, invite you to participate in other feedback events or ask for more information.

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Carrying out this survey is just part of the work Uttlesford DC does to involve you in developing services. As well as publishing the results of the survey, Uttlesford DC plans to put the findings to good use by working with tenants to further improve the services provided.







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## Uttlesford District Council



Uttlesford District Council, Council Offices, London Road, Saffron Walden, CB11 4ER



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# Agenda Item 5

**Committee:** Housing Board

**Date:** 7<sup>th</sup> December  
2023

**Title:** Update on Rent Setting

**Report  
Author:** Kerry Clifford

Director of Housing, Health and Communities

kclifford@uttlesford.gov.uk

01799 510488

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## Summary

1. This report updates Housing Board on the conclusion of the Rent Setting issue, as self-referred to the Regulator of Social Housing on 19 December 2022.
2. The decision to self-refer was made following the commissioning of a specialist rent audit company, Altair, by UDC and subsequent identification by Altair that UDC was in breach of the regulatory Rent Standard, principally on the basis that the incorrect CPI metric was applied when setting the annual rent increase in both 2021 and 2022. (Subsequently other additional errors were identified, during the process of re-setting the rents to the correct amount and these errors occurred pre-2021, being due to the incorrect bedroom size being documented).
3. Following the council's self-referral to the Regulator of Social Housing the rents were adjusted to take into account the various errors which led to UDC being in breach of the Rent Standard.
4. The errors relate to overcharges across the entirety of the housing stock. The quantum of the errors is set out in more detail below; however the total value of the overcharges was £162,965.85
5. This report provides an update to Housing Board on the actions which have been taken since February 2023, and measures which have been put in place to reduce the likelihood of such errors occurring again. The key piece of work carried out to mitigate the risk going forward is the production of a Rent Setting Sign-off Procedure.

## Recommendations

6. Housing Board is asked to note the updates provided.
7. Housing Board is asked to approve the adoption of the Rent Setting Sign-Off Procedure.
8. Housing Board is asked to note that UDC will be updating the Regulator of Social Housing once the Rent-Setting Sign-Off Procedure has been adopted. (please see further comments on this in the body of this report).

**Financial Implications**

- 9. The total value of the overcharges was £162, 965.85 Of this, £151, 468.27 was due to the incorrect CPI metric being applied as part of the annual rent setting process. The remaining £17,878.86 was due to incorrect bedroom sizes being recorded on the housing management system and this includes some dating back to before 2021.
- 10. The overcharges have now been credited to rent accounts or have been addressed via HB/UC.
- 11. There are no new financial implications to consider at this stage.

**Background Papers**

- 12. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report:
  - Letter of Self-Referral to the Regulator of Social Housing dated 19 December 2022
  - Report by Altair, Rent Setting Review, dated December 2022, received from Altair on 19 January 2023.
  - Report by Altair, Service Charge Review, 28 March 2023
  - Rent Setting Sign Off Procedure (draft) September 2023
  - Cabinet Report ‘Housing Issues’ 22 December 2022

**Impact**

13.

|                                 |   |
|---------------------------------|---|
| Communication/Consultation      | There has been communication with tenants affected by this issue to inform them about the errors and subsequently to inform them of arrangements for return of funds to them/their rent accounts. |
| Community Safety                | There are no impacts in relation to the wider community.  |
| Equalities                      | There are no specific impacts.  |
| Health and Safety               | There are no specific impacts.  |
| Human Rights/Legal Implications | The Rent Standard is a Regulatory Requirement, and the Council is required to set rents in line with statutory guidelines set out annually by Government.   |
| Sustainability                  | There are no specific impacts.  |

|                       |                                |
|-----------------------|--------------------------------|
| Ward-specific impacts | All wards                      |
| Workforce/Workplace   | There are no specific impacts. |

## Situation

14. Having commissioned an independent audit of rent setting in the autumn of 2022, the council was found to be in breach of the statutory Rent Standard, on the basis that the incorrect CPI formula had been used when calculating the annual rent increase for the years 2021-2 and 2022-3.
15. As is the requirement by the Regulator of Social Housing (RSH), UDC Self-Referral itself to RSH on 19<sup>th</sup> December 2022. In the Self-Referral letter, the Council set out the steps it would take to put the issue right. These steps included adjusting the rent charges to the correct amount, in line with the Rent Standard, communicating the issue to tenants, creating a new Rent Setting Policy and Rent Setting Sign-Off Procedure to put in place new controls to prevent the issue recurring, contacting former tenants who had been affected and liaising with the housing benefit teams and with DWP re Universal Credit.
16. Peter Holt presented a report to Cabinet on this, and other housing matters, on 22 December 2022.
17. Angela Knight, working with Adrian Webb and the Revenues Team have now completed all work on identifying the overcharges, adjusting rent accounts accordingly and ensuring that the correct rents are now set. During this process it was identified that in addition to the CPI issue during the annual rent increase process, eleven homes had incorrect information regarding the number of bedrooms and as such, they had also been overcharged.
18. Following the self-referral, UDC met with a representative of the Regulator on 3<sup>rd</sup> February 2022, who explained that RSH would be back in touch as they would be gathering more information on which to base their decision as to the next steps and whether UDC would be served a Regulatory Notice. RSH identified the information which would be requested. This included:
- Total quantum of the overcharge across all tenants (£162, 965.85)
  - The range of overcharge sums per tenant (16 pence to £2879.53 – note that if the pre-2021 bedroom size related overcharges are removed, the highest refund amount per tenant is £589.85)
  - The average refund per tenant (£53.73)
  - Whether any tenants were evicted as a result of rent arrears in relation to the overcharge (to which the answer is no)
19. Over past months colleagues across the Housing Management Team, Revenues Team and Finance Team have met to re-engineer internal processes for setting rents and applying the annual rent process. During a series of workshops, the potential areas for failures were identified during a

session entitled 'what can go wrong'. The following were identified as potential points of failure:

- Wrong CPI metric applied in the annual rent increase process
- Wrong rent type – social (formula)/affordable
- Incorrect information on properties e.g., bedroom size when homes are re-let
- Incorrect keying of values when inputting data on rents
- Wrong information relating to rents on property adverts when advertising on choice-based lettings scheme
- Wrong information on offer letters
- Wrong information on tenancy agreements
- Incorrect information flow re Housing Benefit
- Failing to meet statutory timescales for sending rent increase letters to tenants

20. To mitigate these risks, a series of business process flow charts were designed, with each incorporating a new 'Rent Setting Sign Off' process, whereby at key stages in each of the various rent setting processes, another colleague is responsible for checking and signing off calculations and documentation pertaining to the letting of new homes. This has all been encompassed in a new Rent Setting Sign Off Procedure, **Appendix A**. The Rent Setting Sign-off Procedure also includes new assurance systems, whereby Corporate Management Team (CMT) receive an annual report after the annual rent increase process. There is also provision for escalation to CMT where errors come to light outside of the sign-off process.
21. The matter of the Rent and Service Charge Policy is outstanding. Altair, as part of their assignment for the Council recommended that the Council's policy be updated and have provided a model Policy for the Council. This is under review by the Finance Director, in consultation with the Director, Housing, Health and Communities. It is recommended that the Council updates this and gains approval as required by the Council's Constitution at the earliest opportunity.
22. It is further recommended that the Council writes to the Regulator of Social Housing to update them, this will be completed by the end of December 2023. However, it is recommended that before doing this, both the Rent Setting Sign-off Procedure and Rent and Service Charge Setting Policy are ratified by CMT.
23. For further assurance, an internal audit of Rent-Setting will take commence in Q3 2023, to ensure that the newly adopted Rent Setting Sign-Off Procedure is embedded.

## Risk Analysis

| Risk  | Likelihood | Impact | Mitigating actions                                       |
|---|------------|--------|--|
| Further errors/breach of the Rent Standard occurs.  | 1          | 4      | Rent Setting Sign off Procedure approved and implemented |
| Reputational risk – having had to communicate with residents the previous errors, any future errors will have a significant reputational impact | 1          | 3      | Rent Setting Sign off Procedure approved and implemented |
| Financial risk as a result of future errors   | 1          | 3      | Rent Setting Sign off Procedure approved and implemented |

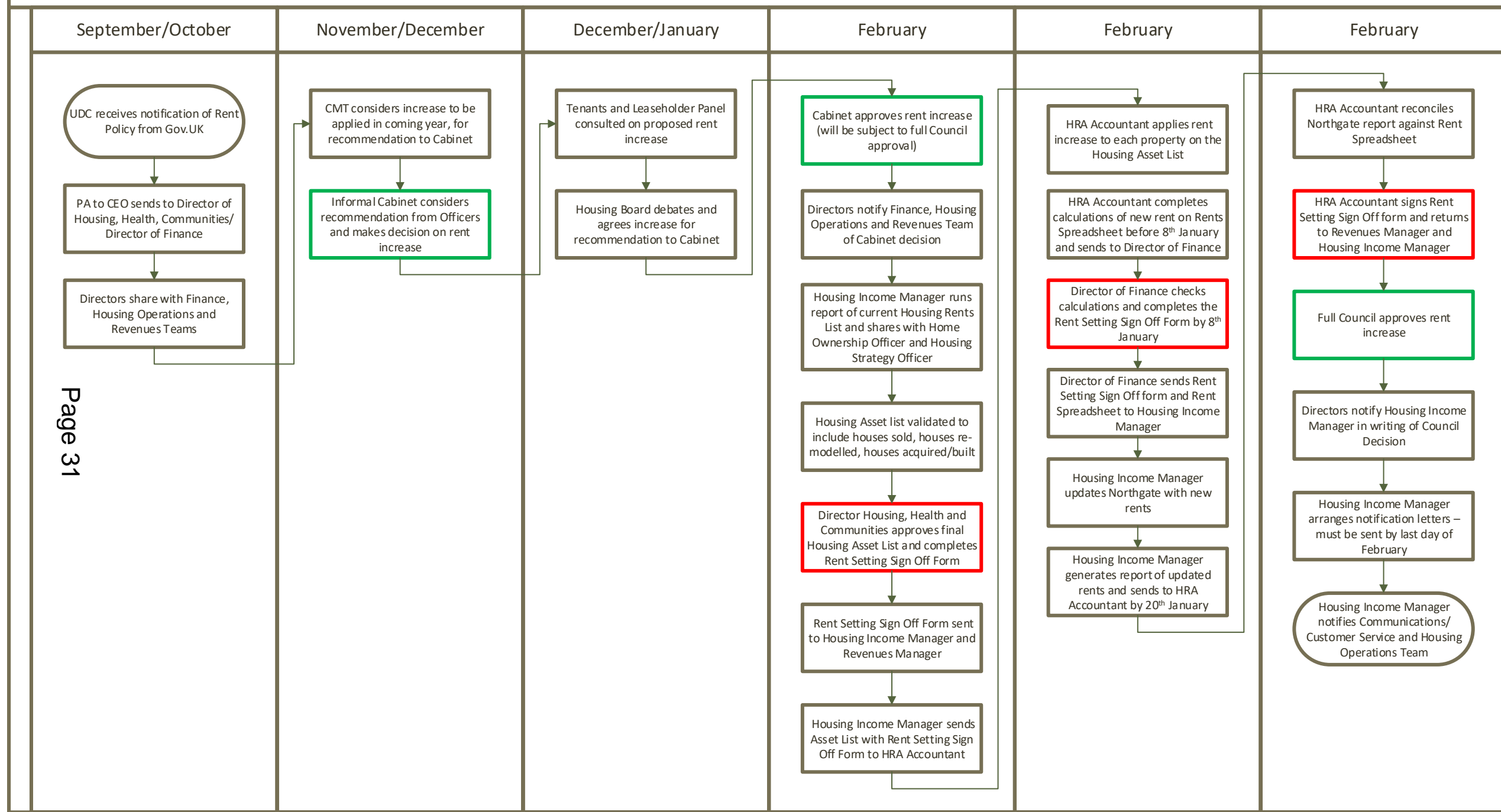
1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

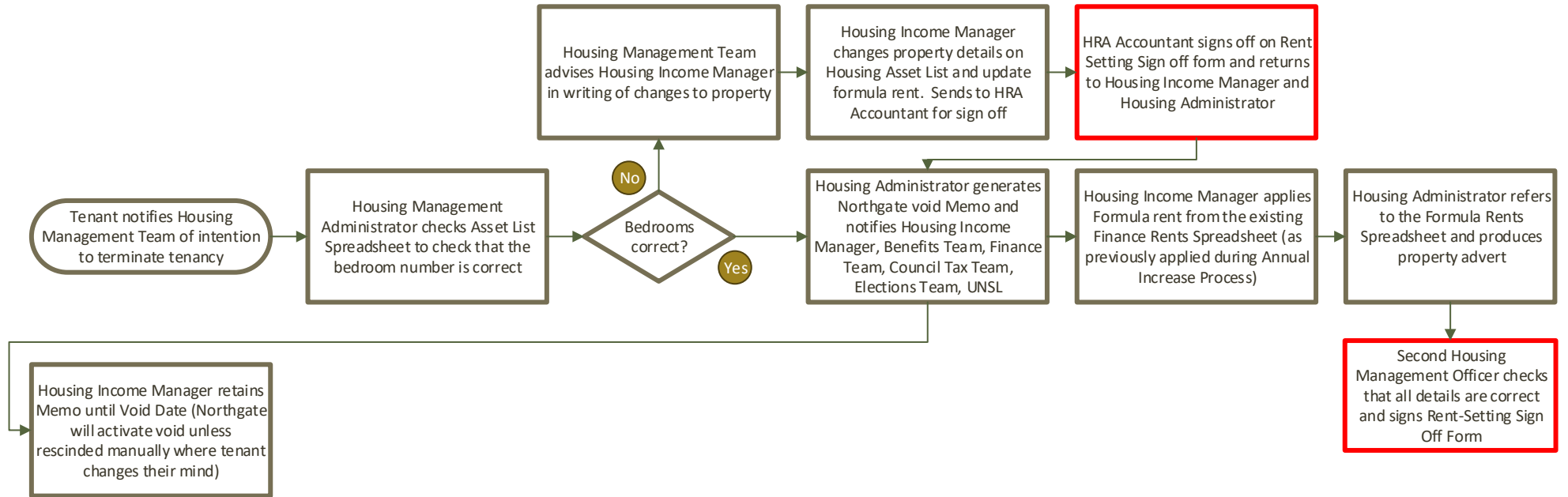
4 = Near certainty of risk occurring, catastrophic effect or failure of project.

# Annual Rent Increase Process

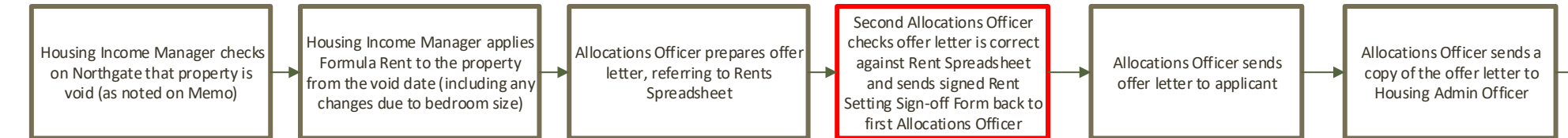


# Re-lets – Social Rent

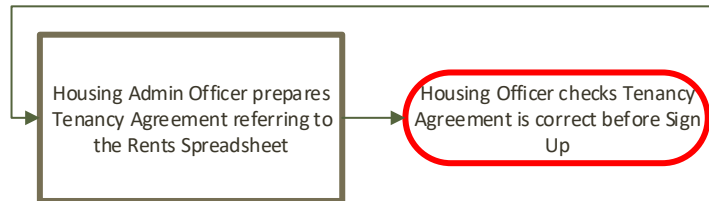
Page 32  
Notification and advertising stage



Pre-letting Stage



Letting stage

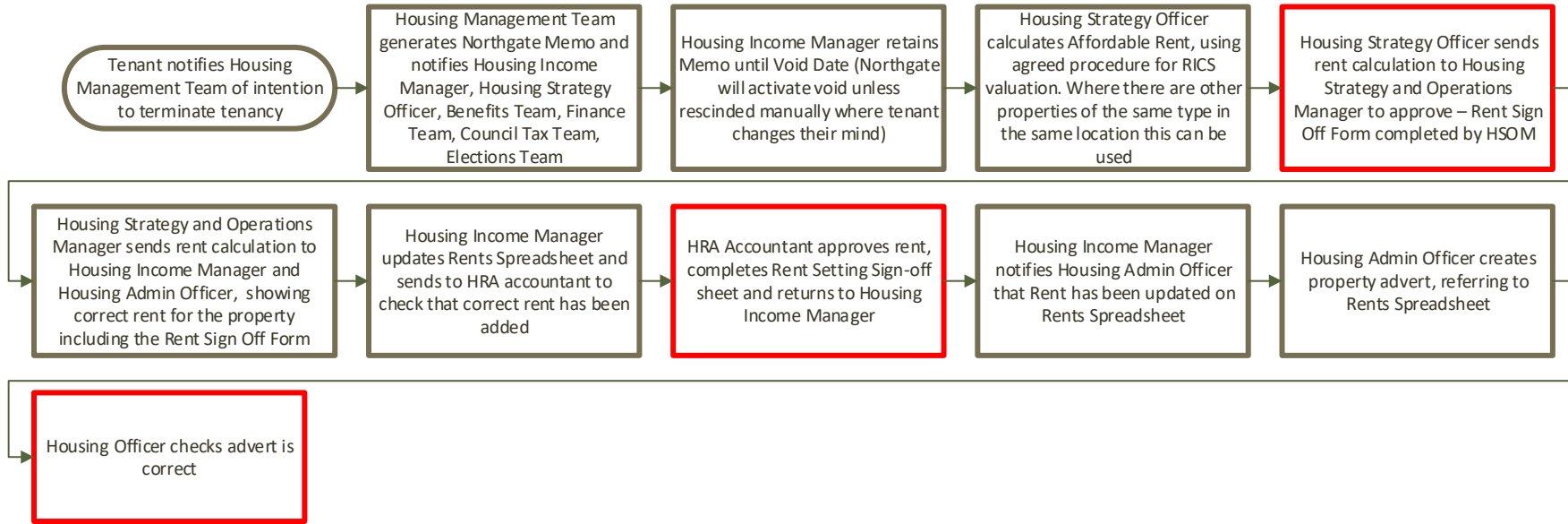




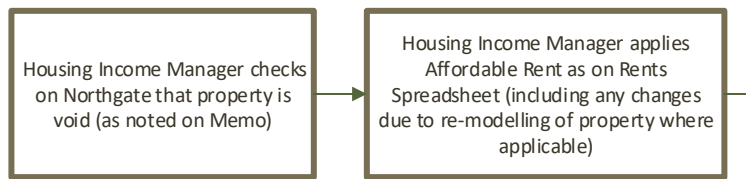
# Re-lets – Affordable Rent ( Note: Rents must be checked for each re-let, even when in-year)

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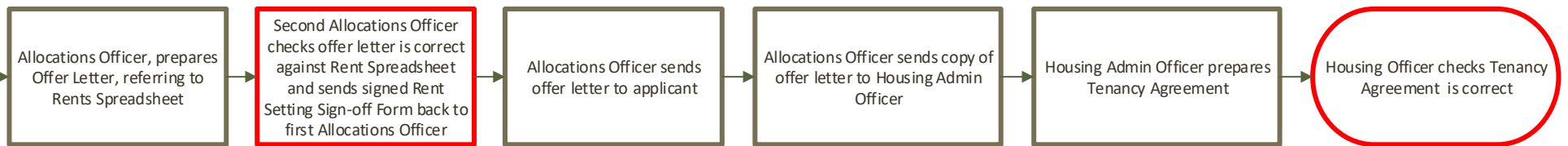
Void notification, rent calculation and advertisement stage



Rent setting stage

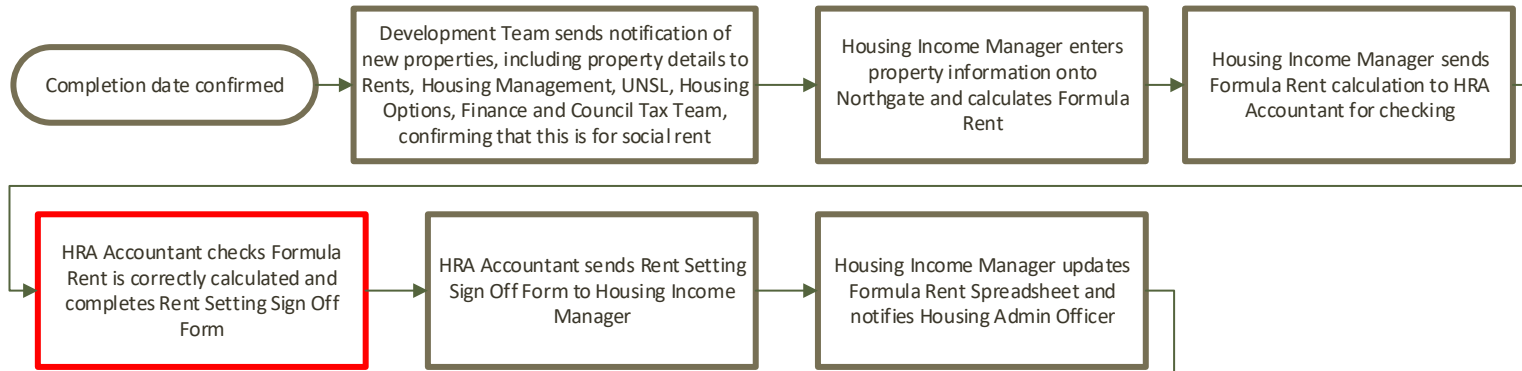


Letting stage

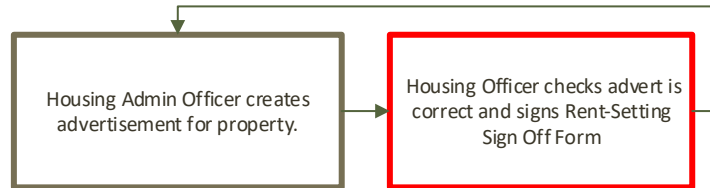


# Setting Social Rents for New Homes

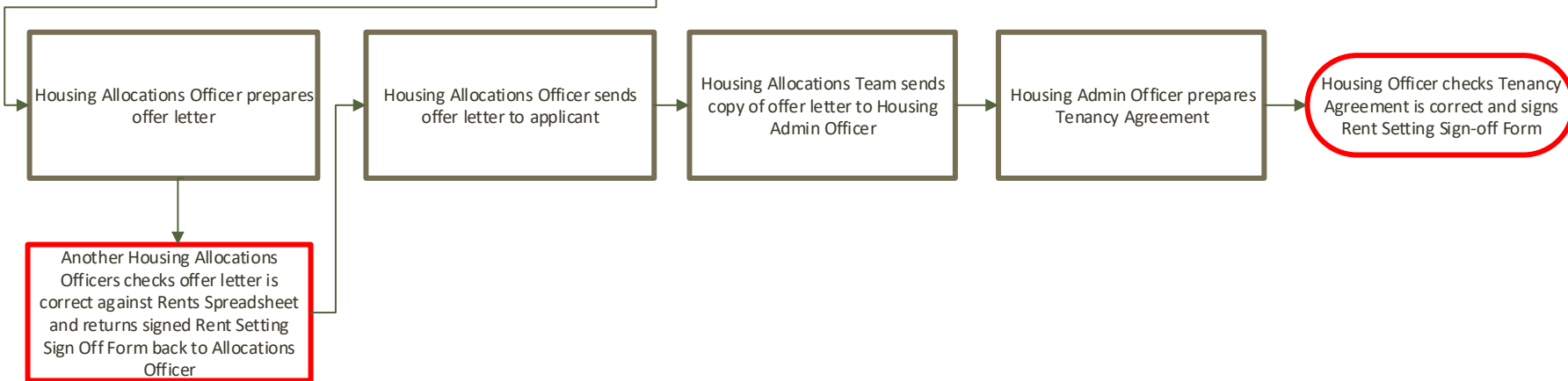
Notification and rent setting stage



Advertising stage

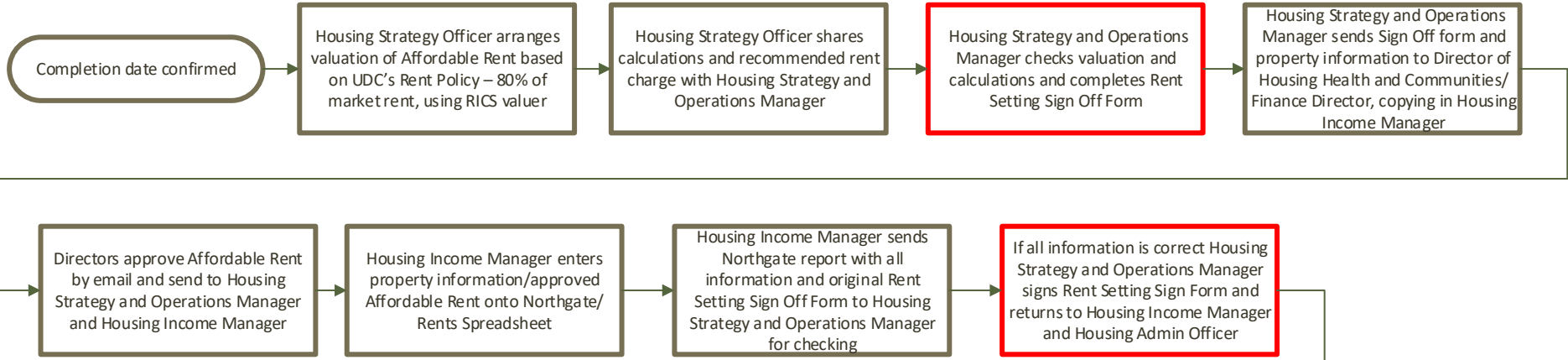


Letting Stage

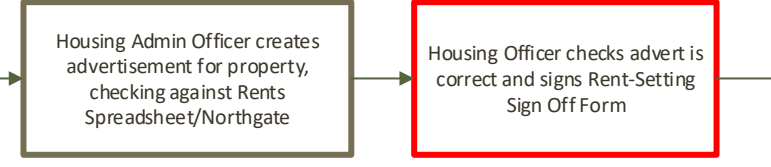


# Setting Affordable Rents for New Homes

Notification and rent setting stage



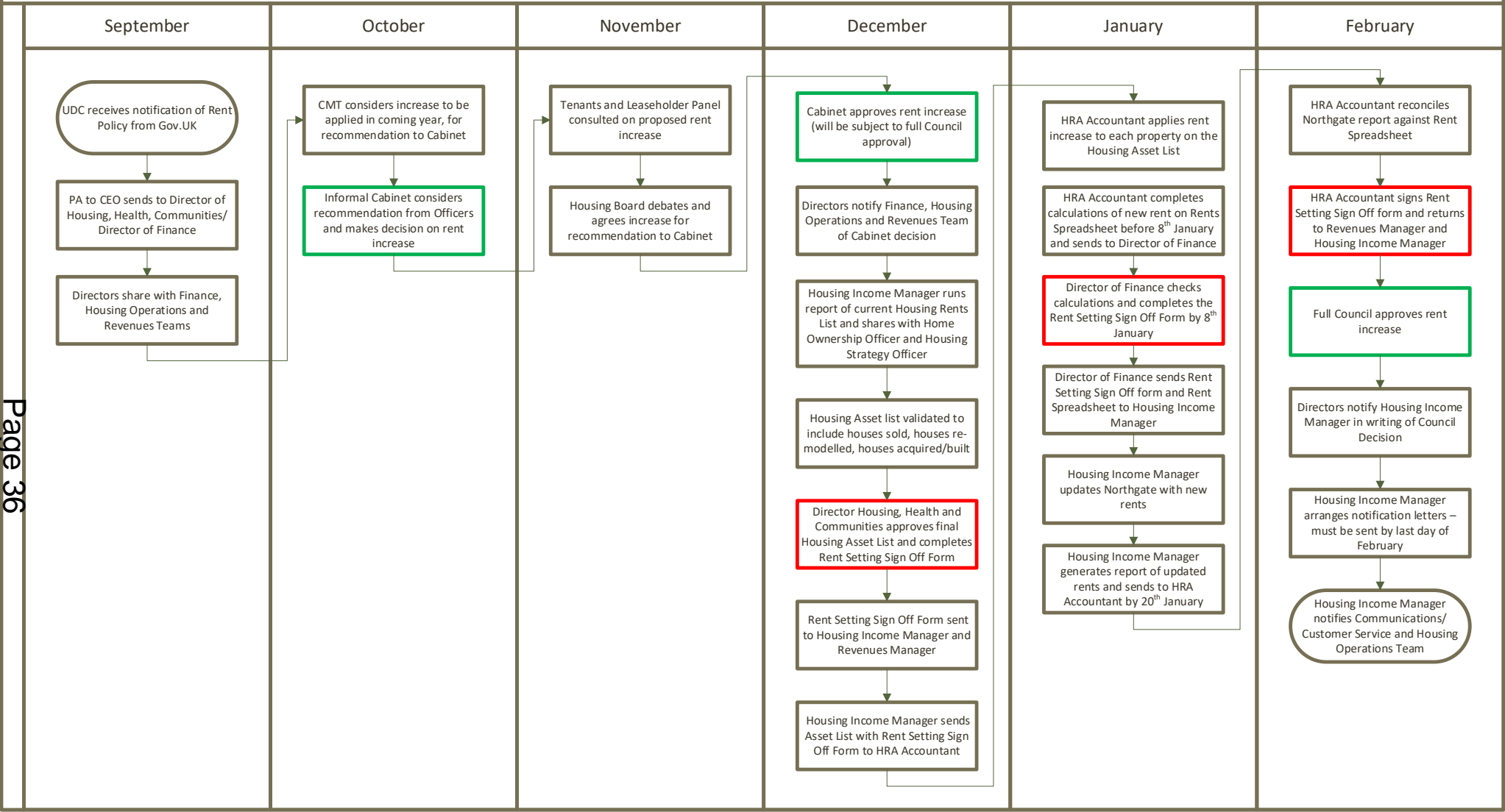
Advertising stage



Letting Stage



# Annual Rent Increase Process



**Committee:** Housing Board

**Title:** Self-Assessment Housing Ombudsman Service  
Complaints Code

**Report Author:** Kerry Clifford –Director of Housing,  
Health, and Communities

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## Summary

1. The Housing Ombudsman Complaint Handling Code was introduced in July 2020. The Code sets out good practice that the Housing Ombudsman Service (HOS) expects social landlords to follow.
2. The current Code requires landlords to carry out an annual self-assessment to ensure their complaint handling procedures remain in line with the Ombudsman's requirements and the HOS requires the landlord to publish the assessment.
3. The Code is also a useful guide for tenants to understand what they can and should expect from their landlord in respect of complaint handling and culture.
4. Given that some councils are within both the HOS jurisdiction as well as the Local Government and Social Care Ombudsman (LGSCO), both have partnered to make a joint Code which will become the single gold standard for complaint handling in the local government sector. It is intended that a joint Code will make it easier for residents to have confidence that the Council is employing best practice and for local people to hold councils and social landlords to account. It will align complaints about housing management, which are already subject to the Code through the Housing Ombudsman Scheme, with other local authority services.

## Recommendations

5. To recommend to Cabinet the approval of the self-assessment of the Housing Ombudsman's Complaints Handling Code so it can be published on the UDC website and made available to tenants.
6. To note that the Complaints Policy will undergo further review in line with the joint code which is expected to be published prior to April 2024.

## Financial Implications

7. None arising directly from this report.

## Background Papers

8. The self-assessment of the HOS Complaints Code is attached to the report as Appendix 1.

9. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report:

- The HOS Complaint Handling Code

## Impact

10.

|                                 |  |
|---------------------------------|--|
| Communication/Consultation      | The Tenant and Leaseholder Panel will be consulted before publication.   |
| Community Safety                | Not applicable   |
| Equalities                      | Accessibility and awareness has been assessed as part of the self-assessment   |
| Health and Safety               | Compliance with the Code will enable more openness, transparency and learning, encouraging tenants to come forward with any health and safety concerns |
| Human Rights/Legal Implications | Compliance with the complaints code will become a regulatory requirement   |
| Sustainability                  | Not applicable   |
| Ward-specific impacts           | None   |
| Workforce/Workplace             | Review of resources to oversee and lead complaints and training to complaint responders in IHOS good practice  |

## Situation

11. The council has achieved full compliance with the HOS complaint handling code but will review its Complaints Policy once the joint complaint handling code has been published by the HOS and the LGSCO.

## Risk Analysis

12.

| Risk   | Likelihood | Impact | Mitigating actions  |
|--|------------|--------|---|
| That the complaint handling code is not followed and the Council is at risk of Complaint Handling Failure Orders | 2          | 2      | Ensure that complaints are monitored and audited and that |

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

## Appendix 1 – Self-Assessment Form 2022\_2023

This self-assessment form should be completed by the complaints officer and discussed at the landlord's governing body annually.

Evidence should be included to support all statements with additional commentary as necessary.

Explanations must also be provided where a mandatory 'must' requirement is not met to set out the rationale for the alternative approach adopted and why this delivers a better outcome.

### Section 1 - Definition of a complaint

#### Mandatory 'must' requirements

| Code section | Code requirement  | Comply: Yes/No | Evidence, commentary and any explanations  |
|--------------|---|----------------|--|
| 1.2          | A complaint must be defined as:<br><br><i>'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.'</i> | Yes            | Published on website:<br><a href="https://www.uttlesford.gov.uk/article/7939/Complaints-compliments-and-feedback-on-housing-repairs">https://www.uttlesford.gov.uk/article/7939/Complaints-compliments-and-feedback-on-housing-repairs</a> |
| 1.3          | The resident does not have to use the word 'complaint' for it to be treated as such. A complaint that is submitted via a third party or representative must still be handled in line with the landlord's complaints policy.   | Yes            | All third-party complaints are accepted and logged, we accept any expression of dissatisfaction as a complaint whilst also differentiating between an initial request for service and a complaint.   |
| 1.6          | ... if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.   | Yes            | All complaints are logged via a complaint email inbox and are allocated a reference number at acknowledgement stage.   |
| 1.7          | A landlord must accept a complaint unless there is a valid reason not to do so.   | Yes            | We will treat any matter as a complaint if it falls within the definition of our policy as at 1.2. unless the complaint is considered to be: a request for service, request for information, a report of ASB or an attempt                 |



|            |  |     |   |
|------------|--|-----|---|
|            |  |     | to reopen a complaint that has previously been concluded, or if we consider it under the following policy;<br><a href="#">Abusive, persistent or vexatious complaints policy - Uttlesford District Council</a>  |
| <b>1.8</b> | A complaints policy must clearly set out the circumstances in which a matter will not be considered, and these circumstances should be fair and reasonable to residents.   | Yes | <a href="https://www.uttlesford.gov.uk/article/7939/Complaints-complaints-and-feedback-on-housing-repairs">https://www.uttlesford.gov.uk/article/7939/Complaints-complaints-and-feedback-on-housing-repairs</a> |
| <b>1.9</b> | If a landlord decides not to accept a complaint, a detailed explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. | Yes | We have developed a letter template so if a complaint is not going to be considered, a detailed response is given in a consistent way.  |

### Best practice 'should' requirements

| Code section | Code requirement  | Comply: Yes/No | Evidence, commentary and any explanations  |
|--------------|---|----------------|--|
| <b>1.4</b>   | Landlords should recognise the difference between a <b>service request</b> , where a resident may be unhappy with a <b>situation</b> that they wish to have rectified, and a <b>complaint</b> about the <b>service</b> they have/have not received. | Yes            | When a request for service is received and it is not a complaint, it is forwarded to the correct department for action. Service requests will be logged and who the matter has been passed to.   |
| <b>1.5</b>   | Survey feedback may not necessarily need to be treated as a complaint, though, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to.                   | Partial        | TSM's will include reference to escalate to a complaint and any actionable comments will be logged and progressed as a complaint or request for service.<br><br>UNSL are investigating the possibility of adding the question to their survey to allow escalation to a formal complaint. |

**ACTION: Review all transactional surveys**

## Section 2 - Accessibility and awareness

### Mandatory 'must' requirements

| Code section | Code requirement  | Comply: Yes/No | Evidence, commentary and any explanations   |
|--------------|---|----------------|---|
| 2.1          | Landlords must make it easy for residents to complain by providing different channels through which residents can make a complaint such as in person, over the telephone, in writing, by email and digitally. While the Ombudsman recognises that it may not be feasible for a landlord to use all of the potential channels, there must be more than one route of access into the complaints system. | Yes            | <p>More information on how to make a complaint has been added to Housing News and is also featured on the front page of the UDC website. Complaints are taken and actively encouraged at regular sheltered housing residents' meetings. There is a dedicated email box for complaints.</p> <p>UDC will also capture complaints mad evia social media and will assist those wishing to make a complaint over the phone or in person.</p> |
| 2.3          | Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the number of stages involved, what will happen at each stage and the timeframes for responding.  | Yes            | The Complaint Policy is available on-line and has been confirmed by the Housing Ombudsman as being compliant with the code. A leaflet is also provided in sign up packs at the start of a tenancy and is reminded to tenants via many communication methods such as the newsletter.   |
| 2.4          | Landlord websites, if they exist, must include information on how to raise a complaint. The complaints policy and process must be easy to find on the website.  | Yes            | <a href="https://www.uttlesford.gov.uk/article/7939/Complaints-compliments-and-feedback-on-housing-repairs">https://www.uttlesford.gov.uk/article/7939/Complaints-compliments-and-feedback-on-housing-repairs</a>   |

|     |   |     |  |
|-----|---|-----|--|
| 2.5 | Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs. Landlords must satisfy themselves that their policy sets out how they will respond to reasonable adjustments requests in line with the Equality Act and that complaints handlers have had appropriate training to deal with such requests. |     | Uttlesford District Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination. We do this by complying with our <a href="#">Equality Policy (PDF) [1MB]</a> which sets out the council's aims and objectives for treating everyone equally. |
| 2.6 | Landlords must publicise the complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme in leaflets, posters, newsletters, online and as part of regular correspondence with residents.  | Yes | Housing News, website and leaflet in sign up packs   |
| 2.7 | Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.   | Yes | Housing News, website and leaflet in sign up packs and when responding to complaints, in terms of escalation and assistance.   |
| 2.8 | Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted.  | Yes | Included in templates for acknowledgement, stage 1 & stage 2 responses.  |

### Best practice 'should' requirements

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations  |
|--------------|--|----------------|--|
| 2.2          | Where a landlord has set up channels to communicate with its residents via social media, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained. |                | Residents are signposted via social media to: <a href="https://www.uttlesford.gov.uk/article/7939/Complaints-compliments-and-feedback-on-housing-repairs">https://www.uttlesford.gov.uk/article/7939/Complaints-compliments-and-feedback-on-housing-repairs</a> where they can see the various ways in which a complaint can be submitted.<br>Social media channels are scanned for complaints, which will be responded to via direct messaging to |

|  |  |  |   |
|--|--|--|---|
|  |  |  | gain more understanding of the issue or complaint. They will be logged and acknowledged in the way that the complainant wishes. |
|--|--|--|---|

### Section 3 - Complaint handling personnel

#### Mandatory 'must' requirements

| Code section | Code requirement  | Comply: Yes/No | Evidence, commentary and any explanations  |
|--------------|---|----------------|--|
| 3.1          | Landlords must have a person or team assigned to take responsibility for complaint handling to ensure complaints receive the necessary attention, and that these are reported to the governing body. This Code will refer to that person or team as the "complaints officer". | Yes            | Specific officers as part of their role oversee complaints. We are a small authority who cannot justify the need for having a dedicated complaints officer/team, but there are lead complaint handlers in each service and we are identifying an Exec and lead member responsible. |
| 3.2          | ...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.  | Yes            | Officers who know the complaint or persons being complained about should make known any conflict of interest. Training is given and complaint responses are audited.<br><br><b>Action: transactional survey to measure satisfaction with way complaint has been handled.</b>       |

#### Best practice 'should' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
|--------------|------------------|----------------|---|
|--------------|------------------|----------------|---|

|     |   |     |   |
|-----|---|-----|---|
| 3.3 | Complaint handlers should: <ul style="list-style-type: none"> <li>• be able to act sensitively and fairly</li> <li>• be trained to handle complaints and deal with distressed and upset residents</li> <li>• have access to staff at all levels to facilitate quick resolution of complaints</li> <li>• have the authority and autonomy to act to resolve disputes quickly and fairly.</li> </ul> | Yes | All staff are trained and have carried out the online ombudsman training. |
|-----|---|-----|---|

## Section 4 - Complaint handling principles

### Mandatory 'must' requirements

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations   |
|--------------|--|----------------|---|
| 4.1          | Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord's audit trail/records should be able to demonstrate this. Landlords must ensure that efforts to resolve a resident's concerns do not obstruct access to the complaints procedure or result in any unreasonable delay. It is not appropriate to have extra named stages (such as 'stage 0' or 'pre-complaint stage') as this causes unnecessary confusion for residents. When a complaint is made, it must be acknowledged and logged at stage one of the | Yes            | Complaint log is kept where we identify which stage the complaint is at and whether it has been escalated to stage 2 and the date that the acknowledgement has been sent. A quarterly KPI will measure the percentage of acknowledgements sent within 5 working days. |

|      |   |     |  |
|------|---|-----|--|
|      | complaints procedure <b>within five days of receipt.</b>  |     |  |
| 4.2  | Within the complaint acknowledgement, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.  | Yes | We have a template- acknowledgement letter setting out our understanding, who will investigate and when a response can be expected.  |
| 4.6  | A complaint investigation must be conducted in an impartial manner.   | Yes | We will respond to all complaints in an impartial manner. Where a complaint is about another member of staff or their conduct it will be investigated by a different officer to ensure impartiality. We will train our staff how to respond and will carry out an audit of our responses periodically. |
| 4.7  | The complaint handler must: <ul style="list-style-type: none"> <li>• deal with complaints on their merits</li> <li>• act independently and have an open mind</li> <li>• take measures to address any actual or perceived conflict of interest</li> <li>• consider all information and evidence carefully</li> <li>• keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.</li> </ul> | Yes | We ensure all staff who respond to complaints will complete ombudsman's online training.   |
| 4.11 | Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication  | Yes | In responding to complaints if the complaint cannot be resolved prior to the response we will agree timeframe for actions and any follow up or review.   |
| 4.12 | The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:  | Yes | This forms part of the investigation and lessons learned.  |

|      |   |     |   |
|------|---|-----|---|
|      | <ul style="list-style-type: none"> <li>• set out their position</li> <li>• comment on any adverse findings before a final decision is made.</li> </ul>  |     |   |
| 4.13 | A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint   | Yes | Included in policy and template response letters.   |
| 4.14 | A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action. Reasons for declining to escalate a complaint must be clearly set out in a landlord's complaints policy and must be the same as the reasons for not accepting a complaint. | Yes | <a href="#">Abusive, persistent or vexatious complaints policy - Uttlesford District Council</a><br><br><a href="https://www.uttlesford.gov.uk/article/7939/Complaints-compliments-and-feedback-on-housing-repairs">https://www.uttlesford.gov.uk/article/7939/Complaints-compliments-and-feedback-on-housing-repairs</a> |
| 4.15 | A full record must be kept of the complaint, any review and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.  | Yes | We save all correspondence to the house file.   |
| 4.18 | Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.   | Yes | <a href="#">Abusive, persistent or vexatious complaints policy - Uttlesford District Council</a>  |

### Best practice 'should' requirements

| Code section | Code requirement  | Comply: Yes/No | Evidence, commentary and any explanations   |
|--------------|---|----------------|---|
| 4.3          | Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic | Yes            | Complaints handlers are comfortable feeding back to residents when the request is unreasonable or unrealistic |

|             |  |     |   |
|-------------|--|-----|---|
| <b>4.4</b>  | A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the resident and whether there are any urgent actions required. | Yes | It is the responsibility of the officer dealing with the complaint to assess if it can be resolved quickly or urgent actions are required.  |
| <b>4.5</b>  | Landlords should give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord where this is reasonable.                                  | Yes | We will accept a complaint on someone else's behalf however we may not be able to provide a full response if it means divulging sensitive or personal information, unless agreed directly with the resident.  |
| <b>4.8</b>  | Where a key issue of a complaint relates to the parties' legal obligations landlords should clearly set out their understanding of the obligations of both parties.  |     | The obligations contained within the tenancy agreement will be referred to as necessary with advice from the legal team, where appropriate.<br>The council will not respond to elements of a complaint where litigation is already in progress and where it may impact the legal process. |
| <b>4.9</b>  | Communication with the resident should not generally identify individual members of staff or contractors.  | Yes | Only as appropriate.  |
| <b>4.10</b> | Landlords should keep residents regularly updated about the progress of the investigation.   | Yes | Formal request for extension of time agreed where necessary. Action plans and timescales will be agreed where there may be outstanding work or actions once a complaint response has been given. Incomplete actions will not delay a complaint response.                                  |
| <b>4.16</b> | Landlords should seek feedback from residents in relation to the landlord's complaint handling as part of the drive to encourage a positive complaint and learning culture.  | Yes | Complaints workshops, surveys and online consultation carried out with complainants from previous year and processes adjusted where beneficial suggestions have been received.  |



|      |  |     |   |
|------|--|-----|---|
|      |  |     | Action: introduce a transactional survey to capture feedback on the process and handling of the complaint.  |
| 4.17 | Landlords should recognise the impact that being complained about can have on future service delivery. Landlords should ensure that staff are supported and engaged in the complaints process, including the learning that can be gained | Yes | Complaints received and learning outcomes discussed in team meetings and on an individual basis where necessary to promote a positive complaint handling culture amongst staff. |
| 4.19 | Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.  | Yes | <a href="#">Abusive, persistent or vexatious complaints policy - Uttlesford District Council</a>  |

## Section 5 - Complaint stages

### Mandatory 'must' requirements

#### Stage 1

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations  |
|--------------|--|----------------|--|
| 5.1          | Landlords must respond to the complaint <b><u>within 10 working days</u></b> of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason. | Yes            | As set out in complaints policy and recorded on complaints log.                                      |
| 5.5          | A complaint response must be sent to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident.                    | Yes            | Outstanding actions recorded on complaints log and monitored.  |
| 5.6          | Landlords must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.   | Yes            | This is covered in training and lead officer on complaints will ensure this will happen in practice. |
| 5.8          | Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language:   | Yes            | Complaint template letters provide this.   |

|  |  |  |  |
|--|--|--|--|
|  | <ul style="list-style-type: none"> <li>• the complaint stage</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> <li>• details of how to escalate the matter to stage two if the resident is not satisfied with the answer</li> </ul> |  |  |
|--|--|--|--|

## Stage 2

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations   |
|--------------|--|----------------|---|
| 5.9          | If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two of the landlord's procedure, unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision. | Yes            | None refused to date – would follow if necessary.   |
| 5.10         | On receipt of the escalation request, landlords must set out their understanding of issues outstanding and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.  | Yes            | As per policy and template letters.   |
| 5.11         | Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.  | Yes            | As per policy.  |
| 5.12         | The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.   | Yes            | As per policy, this will be someone more senior to the officer conducting the original complaint investigation. |

|      |  |     |  |
|------|--|-----|--|
| 5.13 | Landlords must respond to the stage two complaint <b><u>within 20 working days</u></b> of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.  | Yes | As per policy – 10 working days, recorded on complaints log.   |
| 5.16 | <p>Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:</p> <ul style="list-style-type: none"> <li>• the complaint stage</li> <li>• the complaint definition</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> </ul> <p><b>and</b></p> <ul style="list-style-type: none"> <li>• if the landlord has a third stage, details of how to escalate the matter to stage three</li> <li>• if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.</li> </ul> | Yes | <p>See template letters</p> <p>UDC doesn't have a stage 3 process and refers to the Ombudsman after Stage 2.</p> |

### Stage 3

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations                              |
|--------------|--|----------------|--|
| 5.17         | Two stage landlord complaint procedures are ideal. This ensures that the complaint process is not unduly long. If landlords strongly believe a third stage is necessary, they must set out their reasons for this as part of their self-assessment. A process with more than three stages is not acceptable under any circumstances. | Yes            | Two stage process as per policy  |
| 5.20         | <p>Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language:</p> <ul style="list-style-type: none"> <li>• the complaint stage</li> </ul>  | N/A            | The letter template ensures that these considerations are all applied. |

|  |   |  |  |
|--|---|--|--|
|  | <ul style="list-style-type: none"> <li>• the complaint definition</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> <li>• details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied</li> </ul> |  |  |
|--|---|--|--|

## Best practice 'should' requirements

### Stage 1

| Code section | Code requirement  | Comply: Yes/No | Evidence, commentary and any explanations   |
|--------------|---|----------------|---|
| 5.2          | If an extension beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.   | Yes            | An explanation as to why the complaint cannot be responded to will be provided and an agreement as to the timeframe will be the priority. |
| 5.3          | Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.  | Yes            | Details of the Ombudsman and how to access its services are provided on template response letters.  |
| 5.4          | Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident.  | Yes            | All case notes and history should be considered and is an identified step of the complaint handling procedure.                            |
| 5.7          | Where residents raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint. | Yes            |   |

### Stage 2

| Code section | Code requirement  | Comply: Yes/No | Evidence, commentary and any explanations |
|--------------|---|----------------|---|
| 5.14         | If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.   | Yes            |   |
| 5.15         | Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response | Yes            |   |

### Stage 3

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations |
|--------------|--|----------------|---|
| 5.18         | Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint <b><u>within 20 working days</u></b> of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident. | N/A            | The policy does not apply a stage 3 stage |
| 5.19         | Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.   | N/A            |   |

## Section 6 - Putting things right

### Mandatory 'must' requirements

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations  |
|--------------|--|----------------|--|
| 6.1          | Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right.   | Yes            | Apologies will be included within the complaint response and whether or not the complaint has been upheld or not and what UDC has done to prevent this happening again or to put things right. |
| 6.2          | Any remedy offered must reflect the extent of any service failures and the level of detriment caused to the resident as a result. A landlord must carefully manage the expectations of residents and not promise anything that cannot be delivered or would cause unfairness to other residents. | Yes            | Action: Compensation Policy needs to be drafted to ensure a consistent approach and to set-out when compensation may be appropriate.   |
| 6.5          | The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.  | Yes            | Detailed timetable or action plan will be provided and logged and monitored to completion. E.g. outstanding repairs.   |
| 6.6          | In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused.  | Yes            | In accordance with Ombudsman determination and see action above as to Compensation Policy.   |

### Best practice 'should' requirements

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations   |
|--------------|--|----------------|---|
| 6.3          | Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents. | Yes            | Learning outcomes discussed at team meetings and more broadly, where it touches more than one service, to ensure services are joined up and consistent. |

|            |  |     |  |
|------------|--|-----|--|
|            |  |     | Lessons learned that result in changes to service delivery should be highlighted in the Annual Report as well as the Housing Newsletter. |
| <b>6.7</b> | In some cases, a resident may have a legal entitlement to redress. The landlord should still offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded. | Yes | Discuss each case on merit. i.e. legal disrepair.  |

## Section 7 - Continuous learning and improvement

### Mandatory 'must' requirements

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations   |
|--------------|--|----------------|---|
| <b>7.2</b>   | Accountability and transparency are integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels. | Yes            | Learning outcomes put in annual report and key metrics of complaint handling goes to Council members as an annual report. |

### Best practice 'should' requirements

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations   |
|--------------|--|----------------|---|
| <b>7.3</b>   | A member of the governing body should be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This role will be responsible for ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance. | Partial        | Governance Audit Performance Committee – oversee all complaints to the Council including housing Now to come under the Audit and Standards committee.<br><br>Further consideration will need to be given to a Member Responsible role as the Joint Code progresses. |
| <b>7.4</b>   | As a minimum, governing bodies should receive:   | Partial        | Under review – to which member committees/working groups this will be reported to.  |

|     |  |     |   |
|-----|--|-----|---|
|     | <ul style="list-style-type: none"> <li>Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders</li> <li>Regular reviews of issues and trends arising from complaint handling,</li> <li>The annual performance report produced by the Ombudsman, where applicable</li> <li>Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.</li> </ul> |     |   |
| 7.5 | Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.  | Yes | Corporate Management Team have oversight and any Ombudsman decisions are reviewed.  |
| 7.6 | Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to: <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 the Chartered Institute of Housing.</li> </ul>  | Yes | Corporate complaints policy currently being reviewed to reflect the requirements of the Joint Complaint Handling Code between the Housing Ombudsman and the Local Government and Social Care Ombudsman. |

### Section 8 - Self-assessment and compliance

#### Mandatory 'must' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
|--------------|------------------|----------------|---|
|--------------|------------------|----------------|---|



|            |  |     |   |
|------------|--|-----|---|
| <b>8.1</b> | Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.  | Yes |   |
| <b>8.2</b> | Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.   | Yes | When necessary.   |
| <b>8.3</b> | <p>Following each self-assessment, a landlord must:</p> <ul style="list-style-type: none"> <li>• report the outcome of their self-assessment to their governing body. In the case of local authorities, self-assessment outcomes should be reported to elected members</li> <li>• publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents</li> <li>• include the self-assessment in their annual report section on complaints handling performance</li> </ul> | Yes | <p>Published on-line, reported to housing board and included in the annual report to tenants.</p> <p><a href="#">Tenants and leaseholders annual report 2022-23 - Uttlesford District Council</a></p> |

# Agenda Item 8

**Committee:** Housing Board

**Date:** 7<sup>th</sup> December 2023

**Title:** Update on the development of the Housing Revenue Account Business Plan 2024-54

**Report Author:** Kerry Clifford –Director of Housing, Health, and Communities

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## Summary

1. This report sets out a timetable in relation to the development of the Council's updated HRA Business Plan 2024-2054. The timetable sets out the actions which the Council will take between December and February, supported by Savills Consultancy Services. A key element of the timetable will be the consideration by Housing Board Members on spending priorities in relation to new housing provision and the maintenance of existing council homes.

## Recommendations

2. Housing Board is asked to note this report and the attached 'first phase' timetable for the development of the HRA Business Plan 2024-54.
3. Housing Board is asked to agree an additional meeting to be held mid-January 2024, for the purpose of receiving a report and presentation on the various business planning scenarios, so that Members can make informed decisions on the priorities for the housing service in terms of the supply of new housing and maintenance of existing housing. This will inform the next stages of the development of the HRA Business Plan.

## Financial Implications

4. There are no direct financial implications arising from this report.
5. Members may wish to note that the cost of the work to be carried out by Savills for modelling the business plan this financial year is £6450 plus VAT.

## Background Papers

*Uttlesford District Council Housing Revenue Account Business Plan 2016-2046.*

6. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report. The report can also be accessed by clicking here: [HRA Business Plan 2016-2046](#)

## Impact

7.

|                            |   |
|----------------------------|---|
| Communication/Consultation | A key element of the first phase of the business planning process is consultation with Members. |
| Community Safety           | No direct impact arising from this report.  |

|                                 |  |
|---------------------------------|--|
| Equalities                      | No direct impact arising from this report. |
| Health and Safety               | No direct impact arising from this report. |
| Human Rights/Legal Implications | No direct impact arising from this report  |
| Sustainability                  | No direct impact arising from this report  |
| Ward-specific impacts           | No direct impact arising from this report  |
| Workforce/Workplace             | No direct impact arising from this report  |

## Situation

8. The Council's HRA Business Plan 2016-2046 sets out the ambitions for council housing in Uttlesford and its scope for investment in new and improved homes for the benefit of local people. The Business Plan is a key document and is the foundation for other decisions made about how the housing service will be delivered and how capital investment in existing homes will be prioritised and funded. Importantly, it sets out the Council's plans for providing new homes. The Business Plan provides detailed financial modelling information, with a specific focus on the first five-years.
9. More than five years has elapsed since the current Business Plan was developed and it is now a priority that the plan is reviewed, so that the financial modelling is up to date it and reflects the current operating financial and policy environment.
10. The external operating environment has changed since the last HRA Business Plan was published and the housing sector risk profile is significant. The Social Housing (Regulation) Act 2023 has placed additional responsibilities on housing providers by introducing a new regulatory regime with increased burdens, and in light of the Grenfell Tower tragedy, this unsurprisingly has placed increased demands onto the Council in relation to building safety and compliance. This is in addition to the Regulator of Social Housing introducing a fee to Local Authorities with >1000 homes for the first time, expected to be in the region of £6 per property. The HRA also expects to incur an increase in charges from the Housing Ombudsman Service.

11. The Council continues to procure Savills Consultancy Services to provide technical expertise in the financial modelling of the business plan. Savills provided support in development of the current Business Plan 2016-46.
12. The financial modelling produced by Savills will generate a range of scenarios, considering the Council's current operating environment, including projected rent income and capital spend on council homes, which Members can consider as part of their decision making.
13. Cabinet will review the Business Plan in February 2024 and consider recommending its approval to Council, so that it can be included in the budget setting process for 2024-2025.
14. A 'first-phase' timetable has been agreed with Savills to accommodate this timeframe. It is important that Members can have input into this phase of business planning, so that their requirements are reflected in the final drafting of the Business Plan. Early in 2024, the Housing Board will be asked to review and comment on the final draft and satisfy themselves that it reflects their views.

## Risk Analysis

15.

| Risk   | Likelihood | Impact | Mitigating actions   |
|--|------------|--------|--|
| Poor organisation of the business planning process may result in the council's strategic plans for its housing assets being unfulfilled. Member's aspirations for housing development will not be properly planned/budgeted for. | 2          | 3      | <p>Ensure Members can contribute to the business planning process.</p> <p>Ensure that appropriate background work is carried out so that Members can be presented with options on how housing will be delivered in the future.</p> |

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project

**Appendix A**

**REPORT TO HOUSING BOARD: 7<sup>th</sup> December 2023**

**Housing Revenue Account Business Planning -**

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| Week commencing                  | <b>27<sup>th</sup> Nov</b> | <b>4<sup>th</sup> Dec</b> | <b>11<sup>th</sup> Dec</b> | <b>18<sup>th</sup> Dec</b> | <b>8<sup>th</sup> Jan</b> | <b>15<sup>th</sup> Jan</b> |
|----------------------------------|----------------------------|---------------------------|----------------------------|----------------------------|---------------------------|----------------------------|
| Data Requests issued             |                            |                           |                            |                            |                           |                            |
| Data requests received UDC       |                            |                           |                            |                            |                           |                            |
| Data requests received UNSL      |                            |                           |                            |                            |                           |                            |
| HRA BP model populated           |                            |                           |                            |                            |                           |                            |
| Initial review of plan           |                            |                           |                            |                            |                           |                            |
| Response to rent consultation    |                            |                           |                            |                            |                           |                            |
| Modelling of scenarios           |                            |                           |                            |                            |                           |                            |
| Update model with inflation ass. |                            |                           |                            |                            |                           |                            |
| Finalise model                   |                            |                           |                            |                            |                           |                            |
| Present to Housing Board         |                            |                           |                            |                            |                           |                            |

# Agenda Item 9

**Committee:** Housing Board

**Date:**

**Title:** Council Housing Management Update

7<sup>th</sup> December 2023

**Portfolio Holder** Councillor Arthur Coote  
Portfolio Holder for Housing and Equalities

**Report Author** Kerry Clifford  
Director of Housing, Health and Communities

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## Summary

1. At the final meeting of the Scrutiny Committee before the election, a scoping document for a review of Council Housing Management was presented.
2. The committee requested it be brought back to the first meeting of the new committee for consideration. Since that time, the situation has progressed, and much work has been done to address the concerns identified in the scoping document of March 2023.
3. At the Scrutiny Committee on the 22<sup>nd</sup> June 2023, it was recommended that rather than a full scrutiny exercise that would potentially detract officers from ongoing work to rectify areas where concerns have been identified, a progress report covering all areas requiring improvement would be acceptable and would offer assurances that these areas were being sufficiently addressed.

## Recommendations

4. Housing Board notes progress to date on areas of concern and those still requiring improvement.

## Financial Implications

5. There are no new financial implications at this stage

## Background Papers

6. None

## Impact

7.

|                                 |   |
|---------------------------------|---|
| Communication/Consultation      | There has been, and will continue to be, communication and consultation with tenants affected by any of the issues identified within this report and to inform them of our on-going commitment to provide fit for purpose services that comply with legislation, particularly the new Social Housing Regulation Act 2023, and any of the Consumer and Economic Standards that apply to UDC. |
| Community Safety                | There are no impacts in relation to the wider community.  |
| Equalities                      | There are no specific impacts.  |
| Health and Safety               | Health and safety issues have been a key feature in the issues faced by the Housing service and continue to be of primary importance.   |
| Human Rights/Legal Implications | There are potential legal implications as explained in the scoping document that the council should comply with the Social Housing Regulation Act 2023 as well as any of the applicable Consumer and Economic Standards and statutory guidelines set out by Government.   |
| Sustainability                  | There are no specific impacts.  |
| Ward-specific impacts           | All Wards.  |
| Workforce/Workplace             | There are no specific impacts.  |

## Situation

8. In August 2022 the council referred itself to the Regulator of Social Housing over concerns it may have breached the Home Standard with regards to some aspects of health and safety. Considerable work had been undertaken to address the issues and subsequent to the March Scrutiny Committee meeting, the Regulator wrote to the council to confirm that having reviewed the council's action plan and compliance data, it was satisfied the council was not in breach.

9. Health and safety remains a priority and our Safer Homes Officer has reviewed our compliance policies and procedures to ensure that we are delivering in this area. These are due to be reviewed by the Corporate Management Team in December 2023 and will then be consulted on with tenants and shared with the Housing Board in January 2023 before being formally adopted.
10. Since June we have revised our gas servicing and electrical check access procedure, bringing forward stages of the process with UNSL contractors and requiring the Housing Management team to intervene at an earlier stage where there are missed appointments or no contact. We have also engaged the use of injunctions to gain access to complete the checks and any remedial works that are identified. We have been successful in securing five injunctions to date with a further four applications in progress. This approach has meant that we have been able to access properties and identify property conditions issues and vulnerability that we were not previously aware of and for the housing officers to work with residents to address any issues.
11. Early in 2023 the council commissioned its own stock condition surveys, independently from UNSL as UNSL had not been completing them under the Service Agreement that was in place. The Council also commissioned subsequent damp and mould surveys (where damp and mould was evidenced as severe or moderate a result of the stock condition surveys). This was to accurately inform the Regulator of Social Housing as to how many cases of damp and mould we had identified in our properties, following the passing of Awaab's Law in February 2023. The stock condition surveys were also to evidence compliance with the Decent Home Standard, as well as to help inform future capital works programme. All category one hazards or non-conformity with the Decent Homes Standard are to be scheduled within year one and two of the Capital Works Programme. We are yet to sign off the Capital Works Programme for 2023/24 and 2024/25 as we are awaiting details of completed works and works in progress from UNSL and how that overlaps with our proposed investment programme. We continue to work closely with them to get access to this information and so we can inform our future programmes. This is not delaying urgent requirement for capital investment in homes and a sign off procedure is in place between UDC and UNSL for recommendations ahead of the whole programme being approved.
12. The Council has had to provide step-in arrangements and procure damp and mould contractors to complete mould washes and fogging as well as to scope remedial works on its severe and moderate cases. The step-in arrangements were made after UNSL were not able to procure and mobilise contractors to undertake this work by the deadline of the end of September, as notified to UNSL by UDC in June 2023. Contractors are currently mobilised and all severe and moderate cases should be completed by end January 2023. UNSL are responsible for carrying out any remedial works identified by UDC's damp and mould contractors and we are reviewing this on a weekly basis.



13. In response to void turnaround times not being met, with an average 55 days 'in works' against a benchmark average of 11-15 days, UDC has been working with UNSL to re-engineer the key to key void process and has given UNSL a 'tracker' document to be used so we can identify where the process is breaking down. This remains a work in progress but all voids are now being completed within 30 days and the backlog have been returned to us. Positively, the standard of work in voids being returned to UDC has improved, however the cost per void has risen to approx. £16,000 per property against an industry benchmark of £7000 for major voids.
14. In the meantime, UDC and UNSL have agreed a revised set of key performance indicators, across all areas of compliance as well as responsive repairs and tenant satisfaction. The KPI's will be reported at UNSL Liaison Board, the UNSL Board meetings as well as corporately.
15. UDC have agreed with Norse Group Ltd and UNSL that it is necessary to re-negotiate the terms of the existing Service Level Agreement and the Share Holder Agreement that exists between all parties. Heads of Terms were issued to UNSL by UDC on the 29<sup>th</sup> October 2023, requiring information and setting out expectations around the process, with key milestones. Decisions linked to the re- negotiation will require the oversight and approval of Housing Board and Cabinet at various stages before the commencement of possible remobilisation activities. A round-table negotiation took place on the 29<sup>th</sup> November 2023 and UDC will be updating Informal Cabinet Briefing as to the direction of the negotiations later in December.

## Risk Analysis

16.

| Risk   | Likelihood | Impact | Mitigating actions   |
|--|------------|--------|--|
| The Council fails to have suitable arrangements in place to deliver safe and compliant homes under regulation and legislation. | 2          | 3      | Review of Service Agreement with UNSL and Norse Group.<br><br>Clear step-in arrangements for service failure |

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.