

Committee:	Housing Board	Date:
Title:	Housing Ombudsman Complaint Handling Code self-assessment	29 April 2024
Portfolio Holder:	Cllr Arthur Coote, Portfolio Holder for Housing	Item 4
Report Author:	Simone Russell–Interim Strategic Director Housing Health and Communities	Key decision: No

Summary

1. This report updates Housing Board on the Council's self-assessment against the Statutory Complaints Handling Code as issued by the Housing Ombudsman in February 2024.
2. Under the provisions of the Social Housing (Regulation) Act 2023, UDC is legally required to comply with this Code and to submit its self-assessment of compliance against the Code by 30th June 2024.
3. There are some areas where the Council is not currently compliant with the Code. An action plan to achieve compliance is being drawn up by officers and this will be brought back to the Tenants and Leaseholders Panel and to Housing Board.

Recommendations

4. Housing Board is asked to discuss the draft self-assessment, raise any questions with officers and make any observations, before the self-assessment is reviewed by the Corporate Management Team and then ratified by Cabinet on 13th June 2024.

The draft self-assessment is attached as Appendix 1.

Financial Implications

5. There are no direct financial implications associated with this report. Any follow-on actions arising from the self-assessment will be delivered within the existing staff establishment.

Background Papers

6. Housing Ombudsman Complaints Handling Code 2024 – attached as Appendix 2.

7. Uttlesford District Council Complaints Policy (Housing Services) – attached as Appendix 3.

Background

The Housing Ombudsman's Complaints Handling Code

8. The Housing Ombudsman issued its first Complaints Handling Code (the Code) in July 2020, with a requirement that social housing providers carry out and publish a self-assessment against it by December 2020. Thereafter landlords have been required to carry out an annual review of their compliance against the version of the Code in place at the time.
9. Following the passage of the Social Housing (Regulation) Act 2023, an updated Code became Statutory on 1 April 2024. UDC must, by law, comply with the Code.
10. The Social Housing (Regulation) Act 2023 places a duty on the Housing Ombudsman to monitor compliance with the statutory Complaint Handling Code. This means that in turn, the Ombudsman is required to ensure that all landlords meet the standards set out in the Code.
11. The duty allows the Ombudsman to assess landlords even where no complaints have been referred to it for investigation. The aim is to ensure that residents receive a quality complaint handling service, regardless of who their landlord is, or what they are complaining about.
12. The key elements of the Code include:
 - universal definition of a complaint
 - providing easy access to the complaints procedure and ensuring residents are aware of it, including their right to access the Housing Ombudsman Service
 - the structure of the complaint's procedure - only 2 stages necessary and clear times set out for responses
 - ensuring fairness in complaint handling with a resident-focused process
 - taking action to put things right and appropriate remedies
 - creating a positive complaint handling culture through continuous learning and improvement
 - demonstrating learning in annual reports
 - annual self-assessment against the Code
 - requirement to appoint a lead Member for Complaints, to receive assurance that the Code is being complied with

Uttlesford District Council's approach

13. Since the publication of the first Code in 2020 UDC has put in place a number of measures to improve its approach to complaints handling and in 2023 developed an updated Complaints Policy for Housing Services, which at that time, reflected the requirements of the Code. A copy of the Policy is attached as Appendix 2.

14. A number of other measures have also been put in place, including the introduction of weekly complaints monitoring meetings to ensure that complaints (and follow up actions) are responded to properly and within the required timescales.
15. The Tenants and Leaseholders Panel and Housing Board have previously had the opportunity to comment on the annual self-assessments of compliance against the Code, which has been published on the Council's website.
16. Officers have reviewed afresh the Council's approach managing complaints in light of the newly published Statutory Code and have completed a draft self-assessment.
17. The revised Code is more prescriptive in some areas than previous versions. As such items of non-compliance have been identified which previously were not given the same level of consideration. An action plan will be developed, with target completion dates against each action.

Key areas identified as requiring actions to achieve compliance

18. Key improvement actions identified through the self-assessment activity, and which will feature within the improvement plan include the following:
 - Introducing training for all staff involved in complaints handling within the Council and briefings for Members, the Tenants and Residents Panel and the Corporate Management Team on the expectations of the new Code.
 - Introducing a formalised approach for learning from complaints and ensuring this involves service managers.
 - Developing a complaints performance dashboard, providing a range of metrics to build a clear picture of performance, themes emerging from complaints and residents' satisfaction with complaints.
 - Developing an annual complaints report.
 - Updating UDC's Complaints Policy to reflect the new Code.
 - Introducing a new compensation framework which reflects Ombudsman's guidance on remedies for complaints.
 - Reviewing the Council's approach to monitoring follow-on actions from complaints (remedies).
 - Carrying out a fresh equalities review of the Council's policies and practices in relation to complaints handling, including the first point of contact for residents wishing to make a complaint.
 - Appointing a new Member Complaints Lead (Cabinet decision)

Resident Engagement

19. The Chair and the vice-Chair of the Tenants and Residents Panel have had the opportunity to review the Council's self-assessment and the final self-assessment will be brought back to the next full meeting of the Tenants and Residents Panel.
20. The Council will facilitate ongoing scrutiny by tenants and leaseholders of its complaint handling arrangements, and this will be discussed with the next full meeting of the Tenants and Residents Panel. This discussion will include the proposed Action Plan for achieving compliance with the Code and agreement

as to how the Tenants and Leaseholder’s Panel will oversee the delivery of the Action Plan.

Impact

21.

Communication/Consultation	<p>There has been, and will continue to be, communication and consultation with tenants on the management of complaints within UDC in general and specifically, UDC’s compliance with the Code.</p> <p>This includes facilitating ongoing scrutiny through the Tenants and Leaseholders Panel, as referred to in points 19 and 20 above.</p>
Community Safety	There are no impacts in relation to community safety.
Equalities	<p>The complaints process will be accessible to all residents, regardless of their background and protected characteristics, and follow on actions will be appropriate to the diverse needs of residents. The Council’s approach to complaints handling will be subject to a fresh review by the Council’s Partnerships Officer. This is referenced within the self-assessment document.</p>
Health and Safety	There are no direct impacts in relation to health and safety.
Human Rights/Legal Implications	<p>Compliance against Code is linked to the Social Housing Regulation Act 2023/Tenant Satisfaction Measures. Non-compliance may be self-referred to the Regulator of Social Housing by the Housing Ombudsman and the Council’s approach will also be subject to scrutiny by the Regulator as part of the new housing inspection regime.</p>
Sustainability	There are no direct impacts in relation to sustainability.
Ward-specific impacts	All Wards.

Workforce/Workplace	There are no direct impacts in relation to the workforce/workplace.
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Next steps

- 22. The self-assessment will be updated following this meeting to take into account feedback from Housing Board. It will be presented to the Corporate Management Team for comment and any further amendments as required.
- 23. The self-assessment will be considered by Cabinet at its next meeting on 13th June, prior to being submitted to the Housing Ombudsman by the statutory deadline of 30th June 2024. Cabinet will be asked to nominate the lead Member for Complaints, as required by the Code.

24. Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Non-compliance with the Code would result in intervention and enforcement by the Housing Ombudsman and the Regulator of Social Housing	1 – the purpose of the self-assessment is to identify non-compliance and put in place actions to resolve this	3 –Regulatory enforcement, reputational damage and in some cases orders to pay compensation to residents	Fulfil the obligations of the Council by completing and publishing the self-assessment and delivering improvement actions identified. Updating the Council's policy and ensuring that staff are trained on how to implement the policy.