



# **Responses to our consultation on the Housing Ombudsman Scheme**

**Published March 2020**

## Introduction

As a public service that is funded by subscription from our members, it is important that we are accountable for the way we use our resources. We are an arms-length body of the Ministry of Housing, Communities and Local Government so we are accountable to parliament, but we also have a duty to:

- the landlords who are members of our Scheme
- residents who have every right to expect prompt and proper consideration of complaints by their landlords and by us, and who ultimately fund our Scheme through their rent.

In October to December 2019, we consulted on changes to the Housing Ombudsman Scheme. We published a revised scheme for consultation and summarised the key changes. The consultation set out four questions on the key areas of change and invited comments. The questions focused on proposed changes to:

- Improve accessibility to the complaints procedure
- Help landlords and residents resolve complaints themselves
- Raise the visibility of complaints
- Extend the reach of investigations

The new powers set out in the Scheme are aimed at supporting the Business Plan 2020-21 to help us deliver a better, faster service. Consultation on the Scheme took place at the same time as the consultation on our Business Plan for 2020-21. The responses to that consultation are covered in a separate report.

We would like to thank all those who took the time to respond. We considered all the comments and views expressed. This document is not intended to cover the detail of all the responses received but provides a summary of the key issues and comments made.

## The consultation process

We published the revised Scheme for consultation on 25 October 2019 (at the same time as the Business Plan consultation), and it ran for eight weeks to 20 December.

During the consultation period we:

- Published the consultation online for web users to respond to and enabled responses to be emailed to us directly - and promoted it through the media, social media, our e-newsletter, targeted emails and meetings.
- Held a roundtable discussion with senior representative from 10 landlords.

We received 52 responses through the online survey (63 in total but 11 were incomplete) and 7 by email. The breakdown of responses is:

- 40 from landlords
- 9 from individual residents
- 3 were anonymous
- 7 from trade bodies and other organisations – CIH, NHF, G15, National Federation of ALMOs, HQN and Taroe and The Consultant Connection Ltd

In addition we had feedback on the scheme at the roundtable discussion with senior representatives from landlord organisations (some of which also submitted written responses included in the figures above).

See Annex A for the list of those who responded.

## **Summary of responses**

Overall, respondents were positive and agreed with the proposed changes to the scheme.

In terms of trade bodies and resident groups, there was strong support from CIH, G15, National Federation of ALMOs, HQN and Taroe. They welcomed all of the proposals, providing more detailed comments on why and some specific suggestions/questions on how a number of the changes could be implemented.

### **Q1. Do you have any comments on the changes proposed to improve accessibility to the complaints procedure?**

On accessibility, there was very strong support for landlords to have a complaints procedure in line with Housing Ombudsman best practice and that it would help ensure consistency and fairness. Sharing of best practice examples would be helpful and would encourage continuous improvement, and it should not be too prescriptive said some. The development of Ombudsman best practice should include landlords of different sizes, said a couple of respondents. Some asked who would be involved and some were keen to be involved.

There were some comments from residents about wider access so not only having online access, but also written and in person. One said there should be a time limit for a landlord to respond to their complaints which theirs does not currently have, and one said their complaint was ignored by their landlord.

### **Q2. Do you have any thoughts on the proposed changes to help landlords and residents to resolve complaints themselves?**

On our proposed changes to help landlords and residents resolve complaints themselves the majority of respondents agreed with them and said that resolving complaints locally was the best approach. Quite a few landlords commented that this needs to be done in a way that avoids confusion for residents on where to go about their complaint and also that it does not encourage residents to come straight to the Ombudsman without having gone through their landlord's complaints procedure. A

number asked for clarity on the new power for us to require landlords to report back their actions and complaint outcomes to the Ombudsman.

There were a couple of comments from residents about landlords not listening and not following up or completing their complaints; and needing to have a better understanding of their disability to help resolve complaints locally.

**Q3. Do you have any comments on our proposed approach to raising the visibility of complaints?**

There was strong support for these proposals with the majority agreeing that complaints should be dealt with fairly, swiftly and effectively, and the new powers proposed. A number commented that all the circumstances of the case should be taken into account when a complaint is not being progressed and that landlords have an appropriate timescale to respond or can ask for an extension.

A resident agreed saying it was needed as landlords don't follow up complaints unless tenants are tenacious, and a couple said it would be transparent and make landlords accountable.

**Q4: Do you have any thoughts on the changes outlined to extend the reach of investigations?**

There was strong support for being more proactive and identifying systemic failure with requests for more information by some. Some commented that there should be a clear distinction between our powers and the regulator's – otherwise there could be some confusion or duplication. Clarity on the roles and remit of the Ombudsman and the Regulator was mentioned by a few respondents.

There was also support from quite a number of respondents – landlords and residents – on joint working with the LGSCO; plus support for the range of findings to include severe maladministration but with more detail on those and definitions needed. A few said they wanted more information on what 'reasonable timescales' would be for landlords to comply with orders. There were also some comments asking for clarity around subsidiary companies and associates as it can be complex.

## Annex A

### List of respondents

#### From or on behalf of residents

- We received responses from nine individual residents
- Taroe Trust

#### Trade bodies and other organisations

- G15
- NHF
- Shelter
- CIH
- HQN
- Nat Fed of ALMOs
- The Consultant Connection Ltd

#### Individual landlords (including roundtable participants)

- Arneway Housing Co-op Ltd
- Basildon Borough Council
- bpha Ltd
- Believe Housing
- Birmingham City Council
- Broadland Housing Group
- Bromford
- Clarion Housing Group
- Colchester Borough Council
- Curo
- Dorchester Municipal Charities
- emh group
- Gentoo
- Greatwell Homes
- Haringey council
- Hightown Housing Association
- Hyde Housing
- Incommunities
- Innisfree
- Karbon Homes
- Kirklees Neighbourhood Housing
- Knowsley Housing Trust
- Lambeth & Southwark Housing Association

- Lewes District Council and Eastbourne Borough Council
- Lewisham Homes
- L&Q
- London Borough of Enfield
- Mansfield District Council
- Metropolitan Thames Valley
- Nottingham City Homes
- Onward Homes
- Paradigm Housing Group
- Peabody
- Places for People
- Poole Housing Partnership Ltd
- Poplar HARCA
- Riverside Group
- St Leger Homes of Doncaster
- Sheffield City Council
- Slough Borough Council
- Sovini
- Stevenage Borough Council
- Stockport Homes Group
- Stonewater
- Swindon Borough Council
- Tower Hamlets Homes
- WDH
- West Kent Housing Association
- Wolverhampton Homes
- Worthing Homes