

Quality Assurance Policy

1. Our role and purpose

The Housing Ombudsman Service was set up by Government to deal with complaints about social housing from residents of Housing Associations and Local Housing Authorities.

The Housing Ombudsman's role is set out in the Housing Act 1996. We have a dual role to:

- ▶ resolve disputes involving members of the Scheme, including making awards of compensation or other remedies when appropriate, as well as to
- ▶ support effective landlord-tenant dispute resolution by others.

Our strategic objectives add further clarity and set out what we want to do. Our quality standards help us to achieve our objectives in a way that is true to our values.

Strategic objectives

- We will deliver a fair and impartial service, resolving disputes at the earliest opportunity
- We will promote positive change in the sector
- We will provide a service that is professional, accessible and simple to use
- We will ensure that our service is open and transparent.

Values

- We will act fairly & impartially
- We will be open & accountable
- We will empower and respect those we work with
- We will be proactive and take responsibility for achieving results
- We will work as One Team within HOS and collaboratively with others
- We will be curious, always seeking to learn and improve

We deal with high volumes of complaints assisting landlords and residents to resolve disputes.

The quality of the decisions we make at every stage of the casework process is vital, not just for our reputation externally, but to ensure that our decisions are lawful and robust.

We will be most effective in achieving our strategic objectives if tenants, landlords and designated persons respect and engage with us and the work that we do. To ensure the respect of our customers all our interactions must be of a high standard. We need a highly skilled, motivated workforce to deliver fair outcomes for both residents and landlords. We have quality standards to help our caseworkers ensure that the decisions they make drive our casework at each stage of our process.

2. What defines our quality?

The quality standards:

- apply to all casework
- define our expectation of the quality of casework
- reflect the role and remit of the Housing Ombudsman
- provide a consistent framework for decision-making
- provide a framework for development, improvement and measurement of the quality of dispute resolution.

Ombudsman's role:

- Inquisitorial
- Fair
- Impartial
- Expert
- Transparent (clear, explained, reasoned)

Natural justice:

- The bias rule – the decision maker must not have a personal interest in the decision they are making and must not prefer one person over another when they are making a decision (impartiality).
- The hearing rule – no one should be condemned unheard. Customers will be informed of the case against them and have the right to challenge any facts or evidence relied upon.
- The evidence rule – the decision must be based on evidence, taking into account all relevant considerations, not taking into account irrelevant considerations. Decision maker must be acting to their proper purpose. Decision must not be unreasonable.

Judicial review (grounds for):

- Illegality – decision by the wrong person, an error in fact of law, powers used for a purpose other than that envisaged by law, ignoring relevant considerations, taking into account irrelevant considerations, fettering discretion.
- Irrationality – proportionality.

- Procedural impropriety – breach of statutory procedures, breach of natural justice (bias, fair hearing, failure to give reasons, breach of legitimate expectations).

These factors are reflected in the quality standards – and in our key competencies.

3. Responsibility or meeting the quality and service standards

Everyone.

We have individual responsibility for our own work and are accountable for the quality of all the work we do.

Managers are responsible for how their teams perform in relation to quality and service standards. They will need to know whether the standards are being met in their teams.

4. The quality standards

Standard		Factors
1	Ombudsman's role	<ul style="list-style-type: none"> • In accordance with scheme, manual and process • Intervention is proportionate • Approach is inquisitorial • Facts are established on basis of evidence • Objective analysis and evaluation of evidence • Clear conclusions based on balanced assessment • Authorities/ standards referenced and assessed
2	Communication	<ul style="list-style-type: none"> • Professional and respectful • Neutral tone and language • Logically structured • Jargon free • Style appropriate to audience
3	Customers	<ul style="list-style-type: none"> • Manage expectations • Needs identified and addressed • Identify clear outcomes • Identify and articulate options • Keep informed and what happens next • Confidentiality maintained • Unacceptable behaviour managed
4	Decisions	<ul style="list-style-type: none"> • Decision is clear and explained • Decision is based on evidence • Evidence is referenced in decision • Consequences of decision identified

		<ul style="list-style-type: none"> • Impact of decision on outcome is assessed • Decision/action made within acceptable timescale.
5	Reputation	<ul style="list-style-type: none"> • Risk to HOS reputation is identified and assessed
6	Administration	<ul style="list-style-type: none"> • Audit trail of decisions is on file • Database protocols are followed

5. Dispute resolution customer care standards

Standards of service for customers of the dispute resolution team:

We aim to ensure that someone is always available to respond to your enquiries.

- If you contact us by telephone or in person we speak to you immediately. If that's not possible we arrange for someone to return your call within 48 hours (two working days).
- We acknowledge all correspondence within three working days of receipt.
- We respond to any written correspondence within 15 working days, to let you know what is happening.

We listen to what you want from us and explain clearly what we can do for you. We also explain if we cannot help.

- We take time to listen to you and to demonstrate that we understand what you want from us.
- We help customers to have realistic expectations of the Service at all times.
- We let you know what we can do to help you.

We keep you informed about what is happening and what happens next.

- We explain our process without using jargon.
- We tell you what has to be done to move the case on.
- We give you realistic timescales for progress.

We always make it clear what our decision is and explain how that decision has been made.

- Our communication with you is as accurate, brief and as clear as we can make it.

We always treat you professionally and with respect.

- We respect the confidentiality of everyone involved in a dispute.
- We will warn you if the way in which you behave may have an impact on the way in which we can deal with you.

6. Standards at each stage of the DR Process

ENQUIRY – before a complaint is made to a member landlord.

Application of the quality standards at Enquiry

The Ombudsman’s role – we will need to ensure that our role is understood at all stages of the process. This is particularly vital at the enquiry stage as this our first assessment as to whether the enquiry presented is a matter that we can resolve or whether to signpost for effective dispute resolution elsewhere. We should aim to provide a ‘right first time’ approach as customers incorrectly directed elsewhere are unlikely to return.

Communication – should be clear and polite and responded to in a timely fashion (within three weeks of initial enquiry – two weeks for any subsequent response). The people who use our service should get clear information and advice from the outset.

Customers – This is our first contact with the customer. We must ensure that our customers feel that we have understood their complaint and that the assistance offered reflects the complaint that was presented.

Decisions – We will decide whether to signpost and/or to progress a complaint. Any signpost should be relevant and the reasons for our decision explained. We will remember our role and consider how best to promote resolution through signposting if we are unable to assist.

Administration – All relevant fields in Workpro should be completed in a timely fashion and the case closed or progressed in accordance with the case closure guidance.

Process

The bulk of our work at the enquiry stage of our process is undertaken by an outsourced supplier. Quality checks and service level agreements form part of the terms of the contract. Quality assurance for this stage sits outside of the internal assurance process. This does not mean that the quality of our decisions and actions at enquiry is not assured, but rather, that checks undertaken are specific to the contract terms.

Quality standards by stage

LOCAL RESOLUTION

Ombudsman's role – at this stage our role is to support effective landlord-tenant dispute resolution by others.

Communication - Clear, polite and timely, reflecting our role and managing expectations as to outcome, Jurisdiction, timeliness. Promoting positive engagement with landlord/tenant relationship.

Customers – We will ensure that our customers feel listened to, that we have understood their complaint and that the assistance offered reflects the complaint presented. We should respond to each piece of correspondence or provide clear advice as to when the customer can expect to hear from us.

Decisions – This may include appropriate signposting, deciding when a landlord's complaints procedure has been exhausted, including whether to accept a complaint early, how much direction to give to the parties to allow them to resolve the dispute themselves.

Administration - Telephone calls and written correspondence should be responded to in accordance with our service standards (calls returned within 48 hours, email and postal correspondence responded to within two weeks).

Database should accurately reflect the complaint and key issues, complaint category to be completed and any outcomes accurately recorded. Information about DP/ICP accurately recorded.

ASSESSMENT & JURISDICTION

Ombudsman's role - We will undertake an assessment once a complaint has completed the landlord's complaints procedure. This will include identifying any jurisdiction issues that may be present, as well as any issues which may mean that it is not an appropriate case for early resolution. We will identify any action that customers can take to promote resolution of their dispute during the DP period.

Communication – We will explain to customers the thinking behind the DP process and encourage engagement with local DPs. We will communicate with customers at the expiry of the designated person process to find out if the dispute was resolved. All communication should be in accordance with service standards.

Customer - We will explain any actions that may help customers resolve their disputes, including collating evidence to present to DPs.

Decisions – Decisions made following assessment accurate and proportionate. Reflect the evidence presented. Customers informed of decisions where appropriate, with explanation as to reasoning and evidence relied upon. Decision made within a reasonable time, reasons for decisions are given and those affected have a chance to give information and evidence to support their position.

Administration – Database correctly completed. Jurisdiction reasons accurately recorded, End of ICP and duly made dates accurately recorded.

EARLY RESOLUTION

Ombudsman's role - Upon completion of the ICP & DP process we will explore the options for resolution by agreement with the parties. Our enquiries will form the beginning of our investigation and should be proportionate and inquisitorial.

Communication - We will communicate with both parties in a timely fashion to explore options that may help resolve the dispute. We will explore early resolution for up to 8 weeks to see if agreement can be reached.

Customer - We will seek to identify the key issues in dispute between the parties and the outcomes that are sought. We will share our knowledge and experience to manage expectations and discuss fair outcomes that may aid resolution.

Decisions - If agreement is reached we will determine the complaint on the basis of this agreement. If agreement is not reached we will decide when to stop exploring resolution and to move the case to formal investigation, not exceeding eight weeks.

Administration - Any intervention should be accurately reflected in the database and in our determination. If no intervention the case should be marked as ready for FR and the relevant sections of the database completed.

INVESTIGATION

Ombudsman's role - Our role at this stage of the process is to resolve disputes involving members of the Scheme, including making awards of compensation or other remedies when appropriate. We investigate to determine what is fair in the circumstances of each specific case. We will consider whether steps are necessary to put matters right and how learning and improvements can be captured.

Communication - We will communicate with both parties, seeking evidence and explanations to enhance our understanding and further the investigation. We will provide clear, robust decisions setting out our findings, referencing the evidence relied upon and our reasoning.

Customer - We will advise customers of the complaint under investigation. We will give realistic timescales and keep customers informed of any changes. We will ensure that both parties have the opportunity to submit evidence.

Decisions - Our decisions should be robust, reflecting the evidence that we relied upon. Our reasoning should be clear and reflected in the determination we make. Any orders made should be proportionate and SMART. At the time of decision customers must be told of review procedures.

Administration - Database correctly updated with date of determination, orders and recommendations and date of compliance completed.

REVIEW

Ombudsman's role - We will ensure that our decisions are robust and fair by reviewing the evidence relied upon in the original decision, in light of any challenges or new evidence.

Communication - We will give clear information as to how a review can be requested.

Customer - We will acknowledge receipt of the review and advise the parties as to the likely length of time for the review. If a determination is to be changed following the review we will inform both parties of the likely changes and seek their view.

Decisions - We will set out the outcome of the review clearly, ensuring that our reasoning is set out. Any changes as a result of the review should be clearly identified and both parties informed.

Administration - The case should be moved to the correct stage within the database and all fields completed. The case should be closed once any orders are complied with, or following review if no orders were made.

Policy approved: August 2019

For review: August 2020