

## Resident Panel

### Awareness of the Ombudsman's Complaint Handling Code and the Social Housing Regulation Act 2023

26 - 28 SEPTEMBER 2023

## 1 INTRODUCTION AND BACKGROUND

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The Ombudsman's Complaint Handling Code sets out best practice for landlords to respond to complaints. On 20 July 2023, the Social Housing (Regulation) Act received Royal Assent. Royal Assent is the last step required for a parliamentary bill to become law. The Social Housing Regulation Act provides the legal basis for many of the measures set out in the 2020 social housing white paper.

In April 2024, the Housing Ombudsman's Complaint Handling Code will become a statutory code of practice for landlords, along with our role of monitoring of compliance with it.

The Act places our Complaint Handling Code on a statutory footing for the first time and introduces a new duty on landlords to comply with the Code. The Ombudsman will be duty-bound by law to monitor member landlords' compliance with the Code.

The aim of this panel meeting was to gain understanding of resident's awareness of the Code and what it means for landlord's complaint handling and the services they receive.

We also wanted to inform the panel of changes we have made at the enquiry stage of contact to the Ombudsman Service, and the awareness raising campaigns we have been hosting in local communities since the previous meeting in March 2023.

## 2 DUTY TO MONITOR COMPLIANCE WITH THE CODE

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The Act provides the legal basis for measures set out in the 2020 social housing white paper. The intention of which is to deliver 'transformational change' for social housing and fulfil the government's pledge for greater redress, better regulation and to improve the quality of social housing.

### **What does it mean for the Housing Ombudsman Service?**

To ensure that landlords are compliant with the Code, the Ombudsman will focus on:



Statutory Code – by law, landlords will need to comply with our Complaint Handling

## Code



Duty to Monitor Code Compliance – we will have a duty to check and monitor landlords



Wider orders – implementing orders that will benefit all residents, beyond one case



Good practice – publishing good practice for landlords to self-assess against



Access to Information Services – investigations of disputes about information provision to residents

How will we do this?

- Require landlords to publish and submit self-assessments to the Ombudsman
- Monitor submission closely and act quickly if there are delays or non-submission
- Use our experience to make sure policies are Code compliant
- Review insights from our casework to confirm landlords are delivering in practice
- Challenge landlords if they are not using interventions and investigations
- Issue Orders if landlords fail to improve
- Work closely with other organisations such as the Regulator to monitor landlord performance

## 3 AWARENESS OF THE CODE AND SOCIAL HOUSING REGULATION ACT

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### **‘Had the Panel heard about the Social Housing Regulation Act and Complaint Handling Code?’**

In summary, most of the Panel said they had heard about SHRA mostly from news sources following high profile social housing cases such as the tragic death of Awaab Ishak and Grenfell.

Most residents said they could think of a few changes their landlord had made due to the Code including reducing the number of complaint stages and were pleased that the Ombudsman had removed the democratic filter, the eight-week period that residents needed to wait to refer a complaint to the Service if they did not approach via a Designated Person such as their local MP.

Overall, residents stated they welcomed a statutory Code and would welcome further awareness raising from the Ombudsman to ‘give the Ombudsman teeth’ to make real change in the sector.

Additional resident comments on landlord changes following the SHRA and Code:

- Vulnerable residents are sometimes left ‘pushed’ outside of a complaint process and landlords are frequently treating complaints as service requests rather than logging via the formal process

- Residents felt it took a lot of energy to remain persistent with their landlord to progress a complaint through a landlord's internal complaint procedure, with one leaseholder resident stating they had an open complaint for over 18 months
- Landlords needed to follow the timescales in the Code, panel generally aware of the timescales for stage one and stage two responses but feel landlords could be more transparent about expected timescales to wait for a response
- A number of residents said their landlord had removed a third stage to their complaint process since the Code's introduction
- Landlords should provide a point of contact as it is frequently difficult to get hold of the person dealing with their complaint and regularly receive acknowledgment emails but not a formal response
- Residents felt they only know about the Code due to involvement in resident panel but there is more work the Ombudsman and member landlords can do to make residents aware of the process a landlord should follow
- Aware that landlords are required to self-assess against the Code but felt they could include residents more in this process
- Some residents that were on tenant panels had seen a reduction in complaints being referred to a panel stage in the internal complaint process

## **4 RAISING AWARENESS OF THE HOUSING OMBUDSMAN SERVICE**

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In March 2023, we asked the Panel how we can raise awareness of the Service and the work we do to make us more accessible to residents. The feedback we received from the Panel has contributed invaluable to our ongoing accessibility and awareness raising of the service, with a focus on the work we do in local communities with residents.

The Panel told us they felt the process of accessing the Ombudsman was complicated and landlords should provide easy to understand guidance on when their complaint could be referred to the Ombudsman for investigation.

## **5 OUR VISION**

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We have been working hard on our vision of raising awareness of the work that we do by engaging with member landlords and residents in local communities.

## **6 EQUALITY, DIVERSITY, AND INCLUSION**

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We have an equality, diversity and inclusion working group who have together created a toolkit to help us ensure that all our communications are inclusive and accessible. We are also working on making our website more accessible and have improved the readability and access tools available to residents accessing the information on our site.

## 7 ENGAGEMENT WITH THE SECTOR

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Since March 2023, we have met with over 1,000 residents by hosting Meet the Ombudsman events in local communities. Residents have told us about their experiences with their landlords and been able to directly ask the Ombudsman questions about the service we provide. We have held four virtual and seven in-person events, working closely with member landlords to host.

We have been working hard to increase our online social media presence. This year, our tweets have received 230k impressions and we continue to post reports and case outcomes weekly so that the maximum amount of people can see and read our content.



LinkedIn has been a strong channel of communication for us this year and we continue to see high numbers of engagement with our posts.

We are continuing to work on our website to ensure that the information we provide is:

- easy to understand
- easy to use
- helpful
- accessible

We asked subscribers to our e-newsletter for their feedback on what content they would like to see more of and relaunch the e-newsletter in a new format based on this feedback. The results of content subscribers would like to see is below:

2. What would you like to see in the HOS newsletter - please drag the options below to rank in order of what you would like to see the most

[More Details](#)



We also invited our Panel members to subscribe to receive the e-newsletter to stay up to date with the Housing Ombudsman Service.

## 8 ENHANCED ENQUIRIES

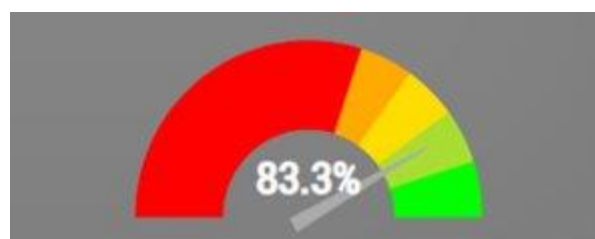
We launched an Enhanced Enquiries project focused on improving the service provided to residents at their first stage of contact to the service. In the March 2023 meeting the panel said we should:

- simplify internal processes
- provide clearer guidance to residents about complaint timescales and information required to bring a complaint to the service
- be clearer about what we can do, and what we can not do for residents and what complaints we can consider

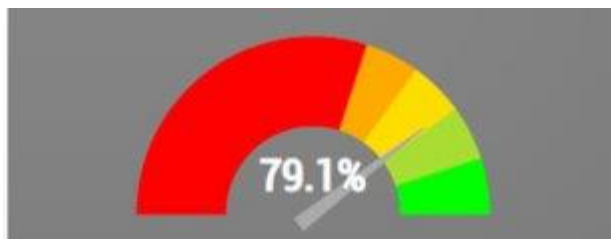
With this feedback in mind, the project team made the following changes to the process:

- reduced all timescales for response to initial enquiries
- since making these changes, 45% of new cases to the service receive an initial response within five working days, compared to the 15 working day timescale for response we previously had in place
- on average, 15% of cases are being actioned by the relevant team within 15 working days
- on average, we are now signposting 11% of residents to appropriate agencies at first stage of contact for complaint issues we are unable to consider

We are also currently running a mystery shopper activity to rate call handling experience at the first point of contact to the service. Each call is scored out of four and rated on the advisor's approach and manner, waiting times and if the enquiry was answered.



July 2023 – 83.5% of shoppers rated the service positively, with 16.5% stating some areas required improvement.



August 2023 – 79.1% of shoppers rated the service positively, with 20.9% stating some areas required improvement.

***“These changes are a great improvement”*** – Resident panel member on changes to the enquiry stage of the service.

***“Facing the reality that the service needed more qualified staff has sown benefit in the outcome of the response and timescales’*** – Resident panel member on waiting times at enquiry stage.

## 9 UNDERSTANDING OF THE SERVICE

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### How can we raise awareness of the work we do?

In March 2023, 38% of the Resident Panel stated they did not fully understand our process. We have been continuously working on raising our profile and making the information we provide easy to understand and making internal changes to ensure that the information we provide is clear, easy to understand and reduce the number of technical terms in our casework.

In the second breakout session, facilitated by Housing Ombudsman colleagues, we asked the Panel how we can improve the information we provide in our external communications and drop-in sessions to explain the process.

- Most of the residents felt we could improve our communication with residents on the progress of their case once we had accepted it for investigation with some residents expressing frustration with long waiting times and having to chase for updates.
- Some residents felt we could work more closely with third parties to provide information on what residents need to do or say to their landlord before bringing a complaint to the Ombudsman.

- Residents expressed that Housing Ombudsman reports and website is text heavy and may not be easy to understand for residents with learning difficulties or those that do not speak English as their first language.
- A resident suggested a more inclusive tone in our communications, to express that we are there to help and to feel more welcoming and inclusive.
- Residents suggested that the Ombudsman uses jargon tones – findings such as ‘maladministration’ aren’t easy to understand and there is a need to be more open and transparent about findings and what it means for the resident.
- Residents suggested more images, short videos and cartoons to explain our processes.
- Be more proactive with a focus on a mediation approach for dispute resolution and be able to have conversations with landlords and Housing Ombudsman caseworkers to resolve a complaint without waiting for a full investigation to be carried out.