

Attitudes, respect and rights – relationship of equal.

Podcast part 1

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So welcome to our podcast today, it's on our latest spotlight report which is Attitudes, Rights and Respect, Relationship of Equals. We've got with us today the lovely Zoe Miller and the brilliant Chris Harrison. So would you guys like to introduce yourselves and then I will go through some questions that we've got for you.

Zoe Miller

Oh, thanks, Victoria. Yes, so my name is Zoe Miller and I'm a Compliance and Systemic Investigation Manager in our Insight and Development team. So one of the things we do is we lead on our thematic reports, so our spotlight reports, and I've been the lead author on this particular report.

Chris Harrison

Hi, I'm Chris Harrison. I am a Compliance Systemic Lead. I still can't say it, but I've been doing it for a while, which I work for Zoe, which involves working on these spotlight reports, been quite involved in this one and a bunch of other equally exciting things.

I've been here for nearly 11 years now and have done lots of things at the Housing Ombudsman in the meantime.

Victoria King

Thank you. You can't see Chris, but he doesn't look a day over 25, so you would never believe he's worked here for 11 years.

Chris Harrison

You're too kind. Oh, thank you both.

Victoria King

So I'm your host for today, Victoria King. I'm Sector Learning and Development Lead here at the Housing Ombudsman, predominantly working on our Centre for Learning, which is I'll talk about later in the podcast. So Zoe, my first question is for you about the spotlight report. So why did you focus on attitudes, rights and respects for this spotlight report? In the past, we've done damp and mould, we've done noise, we've done knowledge and information management. Why attitudes, rights and respect?

Zoe Miller

Yes, thank you. So I think it's fair to say we've been seeing increasing cases in our casework around issues around communication and contact restrictions, staff conduct, allegations of bias and discrimination and prejudice. So this is something we chose to explore further to look at what could be underpinning these issues.

The other reason is we've touched on these issues as well in previous spotlight reports, and I suppose in some ways this message of this report is an extension of the it's not lifestyle message that we previously set out in our damp and mould report and follow up report. So it's natural evolution of that message. And I suppose the other reason really is that because of the Rochdale Boroughwide housing tragedy and Grenfell, we now know that there is a proven direct link between attitudes and harm to residents.

And this is reflected further in our meet the ombudsman events and our resident and landlord annual survey. So these themes kept being highlighted to us and brought to us. And so it's something that we realised warranted further exploration and a report in its own right.

Victoria King

Thank you, Zoe. Yeah, it's really good to see at the beginning of the report that you actually focus a little bit more on the background of social housing to really give the report context. But you also look at what it means to be vulnerable in social housing.

What did you find when you were looking at this?

Zoe Miller

Yes, thank you. So it's a really big question. And by that, I mean, first and foremost, the word vulnerable is an imperfect term, whether talking about in the context of social housing or in general. So we do absolutely recognise that.

However, there's no getting away from the fact that the word vulnerable and the concept of vulnerability has its place and it's commonly used. So we have used it as a term in the report. But as I'll come on to later, we are using it, we are recognising its place. But we also are saying defining vulnerability isn't the most important thing. But I will come on to that.

So in terms of what it means to be vulnerable in social housing and some of the key takeaways that we found when researching and writing the report was that firstly, people can be made vulnerable by their housing conditions, such as a lack of adaptations, but also by the approach of their landlord or other external agencies. And this is reflected in Shelter's report, where they've highlighted a link between housing and mental health, which we do reference in the report. And also, vulnerability isn't always static and people can become vulnerable, such as through bereavement.

So although they may not have been defined as vulnerable when starting their tenancy, this is something that could have changed for that individual. So it definitely has to be revisited. And it's not a case of if you are vulnerable, you will remain so forevermore.

And I think the other key point as well for landlords to really consider is about disclosure of a vulnerability. And I know this is something that's come up quite a lot in the Kim sessions through the Centre for Learning about what if a resident won't tell us that they're vulnerable. And so we've set out the research around why residents can be less likely to disclose this information.

And primarily, this comes down to they could be concerned about how this information is going to be used. So the important message here is around the

approach of the landlord and clarity in their communication as to why they're asking that information, how that information is going to be stored, how it's going to be shared and how it's going to be used. And it's so important you build up that trust and that relationship because that gives you a better likelihood that the resident will share that information with you. Because of course, it is essentially really personal and private information.

Victoria King

Yes. And residents might not perhaps consider themselves to be vulnerable. And it might only be for that temporary period of time. So, for example, if you've broken both your wrists, that they will hopefully heal in time, but you are vulnerable for that period of time. I know some of the landlords we've spoken to on our spotlight on knowledge and information management, virtual classrooms, they've spoken about how they're trying to capture vulnerabilities and they've got a little flagging system, some of them to say, you know, this resident is pregnant, this resident has mental health issues. What they're finding now is that the spectrum of those vulnerabilities are more than what can be captured on the flag. So their next step is to how do they record that information? So lots of work to be done, but fantastic that you started in the report.

Zoe Miller

Yes, absolutely. And I think, sorry, just following on from that point, it comes down to what does the individual need rather than just is the person vulnerable? And again, this came up with a conversation with a landlord yesterday in one of the sessions through the Centre for Learning, where a landlord has quite rightly gone out and asked residents, do you consider yourself vulnerable? And they've had a 55% response rate saying, yes, we consider ourselves vulnerable. And the landlord is asking, well, what do we do now? And I think that really highlights why it's about, it's a starting point, but you need to know why you're actually asking that and what you're then going to do about it.

Victoria King

Thank you, Zoe. So my next question then is actually about the report and the evidence that you looked at. So where did you look for evidence to inform the report?

Zoe Miller

Yeah, thanks. So we started with our usual call for evidence process. And Chris is going to go into a lot more detail around that because he led on that and did a fantastic job. But just very broadly, the call for evidence is where we set a series of questions to landlords and residents and ask them to respond. And with this response, we opened up to advocacy service as well for the first time, which we're really excited about. And that's because it was so important to capture their views and experiences.

And we had an absolutely phenomenal response to this call for evidence. So we had three times as many responses as we did for damp and mould. And we gained so many useful insights from this, but you know, won't steal Chris's thunder.

And with all our spotlights, our casework provides the evidence base for our case studies and for those themes. So we reviewed over 200 of our determinations for the case studies, and they were 200 over a cross section of landlords as well. So different types of landlord.

But more so than with other spotlight reports, we didn't just rely on our own evidence. And I think it's safe to say we did more research for this report than previous spotlights. So that included drawing on research by the University of Leicester regarding vulnerabilities, lots and lots of analysis of the Office for National Statistics data, National Housing Survey and Dr Simon Williams forecasting the resident of the future work. And we also looked at examples of approaches that have been adopted in other sectors, because I think that's really important. So, yes, we have lots of good practice from within the sector, which we'll come on to.

But it's important to not always just look inward, I think. So we wanted to capture what is going on elsewhere that could may be of benefit within the sector.

Victoria King

Thank you, Zoe. So, Chris, my next question is for you. So what did you find then? You did all of this work. What did you find from that call for evidence? Well, we found

some things that were probably not a surprise, but then other things that were really interesting.

Chris Harrison

So Zoe touched on, we asked for input from residents, from landlords, from advice and advocacy services and had an almost overwhelming response. As Zoe said, you know, three times the amount we had for the damp and mould report. And part of that shows that I think our thematic reports are getting some traction, perhaps in the sector, but it also really sort of underlines how important this issue is to residents, in particular, the bulk of the responses were from residents.

So we asked residents how to rate their landlords sort of, well, not performance, how well their landlords keep them informed about various aspects of the service. So rating between one and five, you'll have seen it on surveys. One is rubbish, not at all.

Five is great, lovely. For most of the things we asked about, residents did not rate their landlord very highly at all. So over half of residents rated their landlord one out of five on keeping them informed about ongoing repairs, how to complain, their landlord's performance, any changes to policy.

The one rating went up to nearly three quarters of residents rating their landlord one for housing officer changes and what I think crucially decisions the landlord has taken that would directly affect a resident in their home. So there's obviously a feeling among residents that there's, you know, big communication gaps. The tables were turned slightly when it came to rent and service charges.

So when it comes to how well residents are kept informed about that, more than half of residents rate their landlord at three or higher and a quarter of them rated their landlord was very good at that. Now, it's not really surprising, not to me anyway, the rent and service charge is a very key part of any occupancy agreement. You can't get away from it.

No service would be provided if there was no rent or service charge being paid. But what we did see is that a number of the sort of the resident responses, the free text

responses that we got outside of the rating, used the phrase cash cow, which is a very unfortunate way to feel really. But that's how these residents felt and that sort of suggests that residents maybe aren't seeing or they're not aware of where all that rent and service charge money goes and are certainly not seeing it spent on communication on services.

Some of the other things we pulled out of the resident responses map to one of the big pieces of research we used as well. So it maps to the English housing survey, which is carried out annually by the department and that sort of sets out, you know, who's living in these homes amongst other things. And that survey found that more than half of social homes include somebody with a disability or a long term illness, which is flagged up in the report.

I think the English housing survey said 54 percent and 58 percent of our resident responses said they considered themselves disabled. But only 19 percent of those said their landlord had made any reasonable adjustment for them. And almost 70 percent of those respondents told us that the landlord hadn't made any adjustments that they'd asked for, which is obviously of concern.

So that's sort of writ large in the report, I think. A lot of residents did refer specifically to lack of appropriate aids and adaptations in their home, which again reflects the English housing survey. Apparently half of housing association tenants in particular lack the adaptations they need.

There are all sorts of reasons behind this. You know, funding has gone away. It's hard to come by. But the fact is people are in their homes without the aids and adaptations that they need. There's a small percentage of residents telling us that they have needs, but they're not telling their landlord about their needs or haven't asked for any adjustments. And there might be something there to sort of pick into about why that might be.

What's driving a reluctance to disclose any necessary adaptations or adjustments. So I thought that was interesting. And the other strong theme in resident land was digital exclusion.

So the English housing survey found 17 percent of social homes have no internet connection. And that accounts for about 700,000 homes. While on the flip side of that, many residents are telling us that landlords are moving to, in some cases, exclusively digital communication, like email, website stuff.

And a lot of the quotes we got from residents, a lot of the free text input we got from residents was telling us that. It's like they're emailing us the stuff on the website, but not everybody can use it. You know, we used to have a notice board in our estate that's gone, that sort of thing.

So that's sort of the resident perspective. We also heard from landlords and we asked landlords what they thought the barriers to effective communication were. Now, again, I don't think this is going to surprise anybody.

Landlords pointed quite squarely to a lack of resources. So, you know, time, money, increasing workload, no appropriate systems or lack of appropriate systems and records, poor record keeping, difficulties meeting the communication preferences that residents have, you know, things like finding translations or, you know, that sort of language services. Landlords also seem to accept that digital exclusion is an issue in sector, which is good.

A smaller proportion of landlords said that this legal and regulatory framework, government policy get in the way of good communication with residents. It's years of austerity has led to some of this in the landlord's view. Some of the services that residents would otherwise rely on aren't there anymore or the services are there, but they no longer have the time or the funding or the staff to communicate or work closely with social housing providers in the way that they might have used to or meant the way that they would like to.

Interestingly, there were some landlord responses that said the culture of their organization could be a barrier to effective communication. There wasn't a lot of this, but there was some of this. I think it's key and we talk about culture a lot here.

We always have at the Ombudsman because it underpins how you respond to complaints, how you treat your residents, how you, you know, the behaviours that you demonstrate, all of that stems from the culture of an organization. So that's very key. And then finally, we asked, last but not least, asked advice and advocacy services, what sort of topics, what subjects residents are asking them for help with.

Now, again, not a surprise to anybody. The big one is repairs. It always will be.

It's the thing we see most complaints about. But, you know, following that, it's rent and service charges, which again, isn't a surprise in a sort of the midst of a cost of living crisis. So, yeah, there's all sorts going on out there.

It was a huge bit of work to pull together the call for evidence data for this report, but a very, very interesting piece of work to do. And there was one quote that stuck out from Citizens Advice, which sort of sums it all up for me.

It says: 'human contact is the key'.

Which says to me that the thing that's missing in communication with residents and it sort of peppers through all the responses from residents, from landlords, from advice and advocacy services is this idea that there needs to be a human centric approach to all of this.

Victoria King

No, all good stuff. And I really like how you kept those really powerful statements in the report.

So you've got ones in there, you know, from advocates sending letters to a vulnerable resident is no use if they can't read, won't open or engage with the post. You've kept those really powerful comments in there, which I think is fantastic and absolutely tons of case studies as well, which is fantastic. So they're really powerful, really powerful case studies in there. So I'm not sure if Zoe, you want to answer this. Why did you choose to include so many in this spotlight report?

Zoe Miller

Yes, thank you. Just before I do, I was just going to quickly add as well that the title 'relationship of equals' is actually taken from a direct resident quote as well. So just following on from that point. And we have put quite a few of the quotes from the call for evidence throughout the report as well. But, yeah, just sort of mentioned that is where, if anyone's wondering why we named it what we did, where we got it from, that was direct resident quote saying that the relationship between landlord and resident needs to be based on a relationship of equals.

But sorry, Victoria, that's not actually what you asked me, so I will now answer what you did want to know. So in terms of why we have so many cases in this spotlight report, it was really important to us that we illustrated the breadth of issues that we see in our casework and break these down into what the exact failings were and what the impact was in the resident. Because although we can throw around words like communication, respect and attitudes, it's not particularly helpful and it's all a bit nebulous at times if we're not being clear about what we mean by that.

So the case studies and to say as well, these aren't just case studies about maladministration and severe maladministration. We also have the good practice case studies because that's equally important. So once we realised the themes could be broken down into people and processes, it was then a case of looking at the most impactful cases studies for each and again, breaking down what we mean by that theme.

So for example, with processes, we've looked at areas such as discrimination and contact restrictions and service charges and set out what those core issues are. And communication is a theme running throughout, such as with discrimination, for example, we show that even if the landlord hasn't been discriminatory, if they fail to acknowledge or investigate the allegation, which in itself is partly a communication issue, that only serves to reinforce the residents belief they're being discriminated against. And in terms of the people side, the case studies show how important the landlord's approach is and the difference that it can make, whether that's a good difference or a bad difference.

But in more general terms, I think case studies are a really useful aid to show people the human impact of a maladministration finding and the emphasis and our emphasis on what the rationale for that finding was and what we'd expect the landlord to have done. And they can serve to encapsulate the points we're trying to make, sometimes far better than any other method. Particularly as I'm sure no one would read any of our case studies for severe mal and I think they're anything other than unacceptable.

Victoria King

Thanks Zoe, there's definitely more of a focus on good practice. Go on, Chris.

Chris Harrison

I was just going to say from a data perspective anyway, our casework, right the way across the piece, regardless of the subject matter of the complaint, communication is flagged up as an issue by our caseworkers when they're recording the data for casework in over two thirds of all complaints, regardless of what they're about, which sort of again, speaks to why there's so many case studies in this report.

It's everywhere, this problem, a lack of clarity, delays, other sort of factors within the landlord's control that can negatively impact communication with the resident through a complaint is a huge, huge part of our work.

Victoria King

Thanks Chris, this is why you're here, 11 years, 11 years old again.

So as I mentioned, there is a greater focus on good practice in this report. Can we expect this in future spotlights? Are we going to have more good stuff happening in the reports?

Zoe Miller

Yes, absolutely. We very much hope so. So I think I'd like to start just by saying that and reassure people that we do always look to include as many no maladministration cases as possible and set out what made them no maladministration.

And we really enjoy doing that and Chris will testify, we get very excited if we come across an example and we think, oh, this would be really good learning and this is where a landlord's got it right. But we've listened to feedback such as through the sessions that you did Victoria. We've gone further with this report and we've looked for examples both within and outside the sector of good practice and examples of approaches that appear to be working well.

So not just through cases that we've investigated, we've actually gone wider than that. And this is a model that we will adopt for the next spotlight and beyond. And we're always looking for ways to build on that.

And again, Victoria, through Centre for Learning and great work that your team do, we've seen there's a huge demand and receptivity for this. So that's really encouraging. And so we wanted to do it anyway because we know that's what people want.

But also we wanted to show that despite the extensive challenges that landlords do face, which we acknowledge in the report, there are many that are getting it right.

Victoria King

So now with our spotlight reports, we're starting to produce a lot more learning development resources to support landlords with implementing the recommendations. So I guess this bit is for me since I'm with in the learning development team.

So at the Housing Ombudsman, not sure if many of you are aware of this, we have a hub for members of our scheme, and others. It promotes complaint handling excellence. It champions learning from complaints. And we call this the Centre for Learning.

So if you go onto our website at the top of the banner there, it's got Centre for Learning. If you click on that, we've got loads and loads, a range of learning development resources which are underpinned by the Housing Ombudsman code and that belief in that positive complaint handling culture.

So to support landlords with implementing the recommendations in this particular spotlight report, we are creating some free resources. So I'm working very hard on these at the moment.

We'll be providing you with three microlearnings. So these are like tiny little learnings, just five minutes each to complete. And we just give that background of the report. What does it mean to be vulnerable in social housing? That brief overview of the evolution and the perception of social housing and the operational landscape where we're up to today.

We've also got a video which Zoe and Chris so helpfully helped me put together just to explain what our jurisdiction is. And then in a few months time, we're going to release a bigger e-learning and it's going to delve into the things that Zoe and Chris have started talking about there, about the report. And from June onwards, very exciting.

We're going to be running some virtual workshops. We're going to do two different types this time. We're going to have one for landlord leadership and we're going to have one for caseworkers.

So we can really further discuss the report, talk about how you're embedding these recommendations and to share that good practice. And actually from the 1st of February, for all of those who are interested, you can sign up to our new learning management system. You can sign up for those workshops, access those resources.

We'll be constantly adding case studies, frequently asked questions and new resources over the months like this podcast. We've got another one that's going to be recorded at the end of February. We're going to be keep providing those good practice examples as we see them.

The new big thing, though, is that with the new learning management system, you'll be able to network with others from across the sector. So if you're on a workshop with another landlord, you really like their ideas or you want to take it further, you can

contact them via the learning management system. It's a bit like Facebook Messenger.

So you have to request them and you can continue to share your experience on that topic with others and other professionals working in the field so you can really support each other and learn from each other. So very exciting happening over here at Centre for Learning.

So Zoe, how are you going to follow up on this report? What more is there to do?

Zoe Miller

There's always more to do, always.

So the process is that we carry out an evaluation of every spotlight report that we do. So when I say evaluation, we're really questioning what impact has the report made, if any, and what changes or intended changes have landlords made as a result. And then we compile all of them, analyse all that information and compile a follow up report to share and go through this cycle again, really.

So the evaluation is a really important part of the overall process because we reach out to a cross section of landlords and ask them all those questions around the changes and intended changes. And then we're able to highlight good practice initiatives that seem to be working well and so forth. And we're also interested in what some of the challenges and barriers are to making those intended changes, which is an important part of it as well.

And then the report gets issued and there'll be additional Centre for Learning materials as well. And further resources. And we're always looking to develop those and tailor them according to the feedback that we receive in terms of what would be most helpful.