

STROUD DISTRICT COUNCIL

HOUSING COMMITTEE

TUESDAY 25 JUNE 2024

Report Title	Stroud Council Tenant Complaints			
Purpose of Report	To provide Housing Committee with an update on the Housing Ombudsman's Complaint Handling Code and our self-assessment against this code.			
Decision(s)	The Committee RESOLVES to: a) Examine the evidence referred to in the self-assessment and ensure that it is complete and accessible to readers including staff and residents. b) Scrutinise the data and performance information included in the complaints performance and service improvement report to ensure it is accurate, reliable and repeatable. c) Challenge any commentary or context to ensure that it is a fair and reasonable assessment. d) Produce a written statement to the self-assessment to provide assurance that it is a true reflection of the landlord's complaint handling.			
Consultation and Feedback	Consultation with managers in Housing Services. Members			
Report Author	Andy Kefford, Strategic Head of Housing Tel: Email: andy.kefford@stroud.gov.uk			
Options	None			
Background Papers	None			
Appendices	Appendix A – Complaint Handling Code self-assessment Appendix B – Annual complaints performance and service improvement report Appendix C – Members assurance statement			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	No	No	No	No

1. Introduction / Background

- 1.1 In September 2020, the Housing Ombudsman launched a new code for the way landlords treat complaints. The purpose of the code is to enable landlords to resolve complaints raised by their residents quickly and to learn from complaints to drive service improvements. It also helps to create a positive complaint handling culture amongst staff and residents.

- 1.2 In July 2023, the Social Housing (Regulation) Act 2023 (the Act) amended the Housing Ombudsman's powers and empowered them to issue a code of practice about the procedures members of the scheme should have in place for considering complaints. It also placed a duty on the Ombudsman to monitor compliance with the code of practice that it has issued.
- 1.3 On 1 April 2024, the Complaint Handling Code became statutory meaning that landlords are now obliged, by law, to follow its requirements. The Code aims to achieve best practice in complaint handling and ultimately provide a better service to residents. Key areas 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 are 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 apply appropriate remedies.
 - Creating a positive complaint handling culture through continuous learning and improvement.
 - Demonstrating learning in annual reports.
 - Annual self-assessment against the Code.
- 1.4 There is now a legal duty placed on the Ombudsman to monitor compliance with the Code, regardless of whether it receives individual complaints from residents about a landlord. For the first time, this means that landlords will need to submit their self-assessment annually to the Ombudsman. The timing of the annual submission has been aligned with the Regulator of Social Housing's requirements for the publication and submission of Tenant Satisfaction Measures (TSM) outcomes – for Stroud District Council this will be 30 June 2024. The self-assessment must also be published on our website so that residents are able to easily access it.

2. The Self-Assessment

- 2.1 The purpose of the self-assessment is to set out how landlords demonstrate their complaint handling service complies with the provision of the Code. In addition, the self-assessment also supports landlords to inform residents about service provision.
- 2.2 The self-assessment is separated into the 9 sections of the Code and each provision is listed individually to allow landlords to review their policies and procedures against them. The nine sections are:
- Definition of a complaint
 - Exclusions
 - Accessibility and awareness
 - Complaint handling staff
 - The complaint handling process
 - Complaint stages
 - Putting things right
 - Self-assessment, reporting and compliance
 - Scrutiny & oversight: continuous learning and improvement

- 2.3 Landlords must provide evidence of their compliance with the provisions of the Code within the assessment, by setting out clearly how it complies with each provision and demonstrate that they are being open and accountable to residents. It also supports the Ombudsman's assessment of compliance in policy and practice.
- 2.4 Self-assessments must be completed annually and submitted to the Ombudsman. However, landlords should expect to review and make changes to its complaints policy or processes more frequently, such as in the event of significant organisational restructures or in response to an order by the Ombudsman.
- 2.5 The completion of the self-assessment gives us the opportunity to reflect on our approach and make any necessary changes to policy, process or practice to ensure effective complaint handling. This will typically require us to:
- Review current practices to identify any gaps or actions required to comply.
 - Take any necessary action to ensure that Code requirements are met.
 - Gather and document evidence to support the assessment of compliance.
 - Scrutinise and challenge the assessment, to provide assurance.
 - Publish the self-assessment and wider documentation.
 - Communicate and embed changes made through the self-assessment.
- 2.6 The Housing Service has completed the self-assessment and determined that the Council's Complaints policy and approach to complaints aligns with the Housing Ombudsman's Complaint Handling Code and is compliant.
- 2.7 During the self-assessment process, it has been identified that some complaints that have been extended were not responded to within the initial time extension. Whilst some complaints are complex and/or are complaints that are about cross service matters, this is an area that the team are reflecting on with a view to implement measures to improve this to ensure that timely decisions on complaints are made and issued to residents. It is the Council's intention to respond to all complaints within complaint handling code timescales.
- 2.8 The self-assessment also determined that the Council could do more analysis of complaint trends and use this, along with the lessons that can be learnt from our complaints to ensure service delivery is changed as a result and reflects resident feedback. The team have carried out case studies of particular complaints which are reflected in the complaints annual report.
- 2.9 The self-assessment also shows that the Council are performing comparably with similar housing peers in terms of volume of complaints and performance of managing complaints.
- 3. Scrutinising and challenging the self-assessment**
- 3.1 The Housing Ombudsman requires a housing provider to have a "Member Responsible for Complaints, known as the MRC.
- 3.2 The Member Responsible for Complaints (MRC) is responsible for ensuring that the self-assessment is scrutinised and challenged. This forms part of their role in embedding a positive complaint handling culture across the organisation. They may wish to consider:

- 3.2.1 Examining the evidence referred to and ensuring that this is complete and accessible to readers including staff and residents.
- 3.2.2 Scrutinising any data and performance information included to ensure the governing body is satisfied that it is accurate, reliable and repeatable.
- 3.2.3 Challenging any commentary or context, to ensure that it is fair and reasonable.

4. Governing body's response

- 4.1 When publishing the self-assessment as part of the annual complaint performance and service improvement report, landlords must include the governing body's response to the report. The purpose of publishing this response is to provide assurance that the self-assessment is a true reflection of the landlord's complaint handling.
- 4.2 The report should sets out how the MRC has scrutinised and challenged the self-assessment and how any risks identified as part of the review have been addressed. The response can also highlight areas of achievement and any challenges that the landlord has faced during the reporting year. Landlords are encouraged to take an open and transparent approach to demonstrate accountability to their residents and other stakeholders.
- 4.3 Due to the recent elections in May 2024 and the appointment of a new Housing Committee, including a new Housing Chair, the report has been scrutinised by the Chair and Vice Chair of Housing Committee and have produced their response as attachment C.

5. Conclusion

- 5.1 The aim of the self-assessment is to ensure that we resolve complaints raised by residents quickly and use the data and learning from complaints to drive service improvements. Housing Committee are asked to review the self-assessment and complaint performance and service improvement report and produce a written statement to provide assurance that it is a true reflection of the landlord's complaint handling.

6. Implications

6.1 Financial Implications

There are no financial implications arising directly from this report.
Any expenditure arising will be met through established budgets.

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6.2 Legal Implications

There are no significant implications within this category.

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6.3 Equality Implications

An EIA is not required. All Stroud Council tenants are entitled to register their dissatisfaction and as identified in the self-assessment, there are various different channels available to register a complaint so that it is accessible and available to all. All complaints are considered and determined in accordance with our approved Complaints & Feedback Policy.

6.4 Environmental Implications

There are no significant implications within this category.