



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Rural and Communities Overview and Scrutiny Committee

1 July 2021

**Report of:** Councillor Robert Reid

Cabinet Member for Housing and  
Property



# Housing Customer Feedback Policy

The Council's Corporate Plan set a clear priority in relation to Housing – that it should meet the needs of residents. As a social landlord, listening and acting on the views of our service users expressed as complaints, compliments and comments and is a significant part of understanding those needs. The draft Housing Customer Feedback Policy sets out how the Housing Service will manage that feedback.

### Report Author

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Corporate Priority:	Decision type:	Wards:
Housing that meets the needs of all residents	Key	All Wards

<b>Reviewed by:</b>	Helen Clarke, Head of Housing	28 April 2021
<b>Approved by:</b>	Andrew Cotton, Director for Housing and Property	21 June 2021
<b>Signed off by:</b>	Councillor Robert Reid, Cabinet Member for Housing and Property	21 June 2021

### Recommendation (s) to the decision maker (s)

#### 1. That Committee:

- a) Considers the content of the report in relation to the management of complaints, compliments, and comments.
- b) Reviews the proposed Housing Customer Feedback Policy; and
- c) Makes any necessary recommendations for amendment to the report author, prior to consideration by Cabinet.

# 1 The Background to the Report

- 1.1 The Social Housing White Paper (The Charter for Social Housing Residents), published on 17 November 2020, sets out how the Government will work with the Regulator for Social Housing in strengthening the formal standards against which landlords are regulated. The new Charter sets out what every social housing resident should be able to expect. One of the key aspects of the Charter is for residents to have their complaints dealt with promptly and fairly.
- 1.2 In conjunction with the Social Housing White Paper, the Housing Ombudsman have introduced a new Complaint Handling Code, published in July 2020. It is a requirement and not best practice to handle complaints in accordance with this code. Social housing landlords were required to self-assess against this code by 31 December 2020. Non-compliance could have resulted in the Ombudsman issuing Complaint Handling Failure Orders. South Kesteven District Council has already completed this self-assessment, which has been published on the Council's website. As a result of this self-assessment, an action plan has been drawn up with recommended actions for improvement (Appendix 1).
- 1.3 The Council's Housing Services is a member of the Housing Ombudsman Scheme and complies with the Housing Ombudsman Complaints Handling Code and any findings or recommendations they make.
- 1.4 The Social Housing White Paper also sets out how the Government will do more to ensure residents know how to raise complaints and will be launching a communications campaign. It also expects all social housing landlords, along with the Housing Ombudsman, to ensure residents have clear and up to date information on how to complain.
- 1.5 The proposed Housing Customer Feedback Policy (Appendix 2) sets out how South Kesteven District Council Housing Services will deal with customer feedback in the form of complaints, compliments, or comments. The Housing Service received 68 complaints during the financial year 2020 – 2021. This is a similar number to the previous year (2019 – 2020), where we received 69 complaints.
- 1.6 The Council values compliments, and service users taking the time to express thanks are thanked and feedback is passed on to the Officers and/or contractors involved. For example, a recent letter from sheltered housing scheme residents in Bourne, (Appendix 4) was circulated to all staff involved.
- 1.7 The aims of the Complaints Handling Code are to provide a framework which promotes high-quality complaint handling with a faster resolution of complaints, using learning from complaints to drive service improvements and to be prescriptive only where it matters most. It is not intended to be a means by which to punish, but to promote better practice for all by creating a positive complaint handling culture, taking action to put things right and appropriate remedies to be in place. The Code requires greater access, consistency and fairness in customers being able to make complaints and the handling of them.
- 1.8 The Complaints Handling Code promotes a resident focussed process on handling complaints and a procedure which has only two stages, rather than three, and has clear time frames for responses. Continuous learning and improvement in handling complaints must be demonstrated with evidence in an Annual Report.
- 1.9 The new Housing Ombudsman Scheme, as part of the Social Housing White Paper, has introduced a new power to carry out a wider investigation where there is evidence of 'a

systemic failing’, with an expectation that landlords will deal with complaints in line with both the Scheme and the Complaint Handling Code. The scheme includes a new power enabling the Housing Ombudsman to issue a Complaint Handling Failure Order for non-compliance with the Scheme or Code.

- 1.10 Conditions of membership of the Housing Ombudsman Scheme are set out in Appendix 3.
- 1.11 A Complaint Handling Failure Order for non-compliance with the Scheme or Code, could be issued by the Housing Ombudsman for various reasons, as set out in Appendix 3.
- 1.12 The Social Housing White Paper states how the Government has set out (via the Building Safety Bill) the intention to remove the need for residents to go to a ‘designated person’ (local Councillor or MP) or wait 8 weeks before a customer can approach the Housing Ombudsman with a complaint (removing the democratic filter). The White Paper also states how Government has increased the Housing Ombudsman’s powers to take action against landlords where needed.
- 1.13 However, the Housing Ombudsman Complaint Handling Code states that the 8 week wait has to be observed before someone can directly refer their complaint to the Housing Ombudsman, or via a Delegated Person (which can be their local Councillor or MP) within 8 weeks of the final decision made by the Council on their complaint. The policy currently reflects the requirements of the Complaint Handling Code. The policy will need to be updated, if the intended changes of the White Paper are implemented.
- 1.14 The Government will support improved complaint handling by landlords and hold them to account through stronger powers and action via the Housing Ombudsman Service; strengthen the relationship between the Regulator of Social Housing and the Housing Ombudsman; require the Housing Ombudsman to publish decisions and landlord reports from March 2021; and run an awareness campaign so residents know their rights and how to complain.
- 1.15 The Council’s proposed Housing Customer Feedback Policy sets out how the Housing Ombudsman defines a complaint; how to complain; who can complain; how we deal with complaints (both informal and formal complaints); the complaints process (stage one and stage two); referring a complaint to a Designated Person (a local Councillor or MP); what the Housing Ombudsman Service is; monitoring and learning from complaints and the complaints process (shown in the flowchart at Appendix 1 of the policy).

## **2 Consultation and Feedback Received, Including Overview and Scrutiny**

- 2.1 The Housing Ombudsman requires these changes to be made, as they are legislative and therefore, consultation is not needed for this policy. This has been discussed with the officer leading on the Corporate Customer Feedback Policy and consultation will not be undertaken on that for the same reason that the changes required are legislative.

## **3 Available Options Considered**

- 3.1 No other available options

## **4 Preferred Option**

- 4.1 Not applicable

## **5 Reasons for the Recommendation (s)**

- 5.1 To comply with the Social Housing White Paper and the Housing Ombudsman Complaints Handling Code.

## **6 Next Steps – Communication and Implementation of the Decision**

- 6.1 Subject to review and scrutiny by the Rural and Communities and Overview and Scrutiny Committee and approval by Cabinet, the policy will be implemented, following the expiration of the call in period. It is intended to be publicised via our website, residents' newsletters and any other communications with our customers (for example, enquiries and applications for housing advice and assistance; tenancy agreement sign ups; meetings with customers and at Sheltered Housing schemes).

## **7 Financial Implications**

- 7.1 It has been confirmed that the financial resources required to implement this policy will be met from within existing budgets.

**Financial Implications reviewed by: Alison Hall-Wright, Head of Finance**

## **8 Legal and Governance Implications**

- 8.1 The report indicates proposed changes to legislation - The Social Housing White Paper (The Charter for Social Housing Residents). In conjunction with this White Paper, the Housing Ombudsman introduced a new Complaint Handling Code. It is a requirement and not best practice to handle complaints in accordance with this Code. The proposed policy sets out how the Council will deal with customer feedback in accordance with legislation.

**Legal Implications reviewed by: Mandy Braithwaite, Legal Executive**

## **9 Equality and Safeguarding Implications**

- 9.1 We will support customers in submitting feedback, where requested, to ensure no one is unable to provide feedback (e.g. due to language or disability issues). We will monitor all feedback to ensure our approach is fair and accessible to all customers. An Equalities and Impact Assessment will be undertaken prior to the policy being heard at Cabinet.

## **10 Risk and Mitigation**

- 10.1 No risks identified.

## **11 Community Safety Implications**

- 11.1 No community safety implications identified.

## **12 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?**

- 12.1 Carbon neutral (no carbon impact)

## **13 Other Implications (where significant)**

- 13.1 None identified.

## **14 Background Papers**

- 14.1 No background papers as this is a new policy.

## 15 Appendices

- 15.1 Appendix 1 – Complaint Handling Code Self-Assessment Action Plan
- 15.2 Appendix 2 – Housing Customer Feedback Policy
- 15.3 Appendix 3 – Housing Ombudsman Scheme Membership Conditions and reasons for issuing a Complaint Handling Failure Order
- 15.4 Appendix 4 – Compliment letter received from residents at a sheltered housing scheme in Bourne

<b>Report Timeline:</b>	Date of Publication on Forward Plan (if required)	19 April 2021
	Previously Considered by:	N/A
	Final Decision date	13 July 2021