

COMPLAINTS PERFORMANCE UPDATE - QUARTER 2 2023/24

Report of the Head of Quality and Consumer Regulation
Author: Annabelle Barwick

1. SUMMARY

- 1.1** This report provides an update on Derby Homes' complaints performance for the following areas:
1. An update on the Housing Ombudsman Landlords performance report from 2022/2023 and Derby Homes' current position
 2. An update on the Local Government and Social Care Ombudsman complaints and Derby Homes' current position
 3. An update on Derby Homes' Self-Assessment for the current Housing Ombudsman's code, which is published annually on the website
 4. An update on the new Joint Housing Ombudsman code and Derby Homes' revision of its Complaints Policy in Spring 2024.

2. RECOMMENDATIONS

- 2.1** To note the Housing Ombudsman annual report 2022/23 where it concludes Derby City Council as a landlord performed 'very well' when compared to a landlord by size and type (appendix 1).
- 2.2** To note the Local Government and Social Care Ombudsman complaints and Housing Ombudsman position in section 4.2 to 4.7.
- 2.3** To note Derby Homes' Self-Assessment in September 2023 against the current Housing Ombudsman Handling code, of which Derby Homes are generally compliant other than one area outlined in 4.10.
- 2.4** To note the new Joint Housing Ombudsman Complaint handling code, currently out for consultation with the aim of implementation from early 2024.

3. REASONS FOR RECOMMENDATION

- 3.1** To ensure that Derby Homes Board is updated on Complaints compliance with the Housing Ombudsman code.
- 3.2** To ensure Derby Homes Board is updated on any determinations made by the Housing Ombudsman and Local Government and Social Care Ombudsman (LGSCO)

4. MATTERS FOR CONSIDERATION

4.1 Housing Ombudsman update

Annually, the Housing Ombudsman publishes performance reports for landlords, with five or more findings within the previous financial year.

The reports list:

- the overall outcomes of Housing Ombudsman decisions
- Housing Ombudsman findings by category and decision
- the types of orders they've made for landlords to put things right.
- the timeliness of landlord compliance with orders where the target date for compliance was during 2022-23
- the total amount of compensation ordered.

- 4.2 During 2022/2023 4 complaints were escalated to the Ombudsman by customers, after using the Derby Homes complaints procedure. A summary of these 4 complaints is outlined in the table below, please note there is one occasion where 2 maladministration were found against 1 complaint.

Summary of findings

Compliant category	Outcome
Condition of property upon letting (e.g., void works)	No maladministration. The landlord has offered reasonable redress in its response to your reports that the property did not meet lettable standards at sign up.
Pest control (within property)	No maladministration
Responsive repairs - general	Maladministration in respect of: 1. The landlord's handling of repairs needed to the resident's kitchen cupboards. 2. The landlord's complaint handling.
Responsive repairs – leaks / damp / mould	No maladministration - Landlord offered redress prior to Housing Ombudsman investigation, which in their opinion resolves the complaint satisfactorily

- 4.3 The full report has been attached as Appendix 1, or alternatively the Landlord reports can be accessed from the Housing Ombudsman website:

[Landlords Archive - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk/)

4.4 Current position with the Housing Ombudsman

During Q1 and Q2 2023/24, four cases have been escalated to the Housing Ombudsman and are currently under investigation.

4.5 Local Government and Social Care Ombudsman

The Local Government and Social Care Ombudsman (LGSCO) deals with complaints about most council housing services other than social housing. This includes homelessness, housing allocations, housing benefit and home improvement services.

During 2022/23, three complaints were escalated to the LGSCO. This was the first time any Derby Homes complaints had been escalated to this ombudsman.

Compliant category	Outcome
Homelessness	Maladministration
Homelessness	No further action / case not investigated
Homelessness	Maladministration

- 4.7 Current position with the Local Government and Social Care Ombudsman**
During Q1 and Q2 of 2023/24, one case has been escalated to the LGSCO, this case is currently being investigated and we have not received a determination.

- 4.8 Self-Assessment with the Housing Ombudsman**
Annually, Landlords are required to self-assess against the Housing Ombudsman's Complaint Handling Code to demonstrate a landlords compliance with the code.

- 4.9** Derby Homes self-assessment was undertaken in September 2023 as a desk-top review. Generally, Derby Homes is compliant with the code and the information on our self-assessment is published on our website. This can be found here using the link below under 'Complaints policy and related documents':

<https://www.derbyhomes.org/advice-support/complaints/#page-1>

- 4.10** There is one area where Derby Homes is not compliant, which is related to how complaints are acknowledged. Derby Homes currently acknowledge complaints using a standard template but under 4.2 of the code, this is under review.

- 4.11** Derby Homes has decided that the compliance towards this self-assessment will be reviewed in the new year, as we review changes and ensure alignment to a new code which is detailed below.

- 4.12 Joint Complaint Handling Code consultation**
The Local Government and Social Care Ombudsman and the Housing Ombudsman have launched a consultation on a joint Complaint Handling Code. The closing date of the consultation is 23 November 2023 with the new proposed code anticipated to launch early 2024. The consultation response from Derby Homes will be circulated to Derby City Council colleagues for comment before submission.

- 4.13** With the Housing Ombudsman already applying a code, the consultation forms part of it becoming a statutory requirement under the Social Housing Regulation Act. For social landlords, including councils, already under the Complaint Handling Code, there will be few changes with the main provisions of the proposed statutory Code unchanged.

4.14 With the introduction of these new changes taking place early 2024, Derby Homes will undertake a comprehensive self-assessment in line with the new changes and make amendments to Derby Homes' Complaint Policy and relevant documents in Spring 2024. The self-assessment and updated policy will be circulated to the Board and Derby City Council for approval.

4.15 The consultation can be found at the following link:

[Joint Code for Consultation \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk)

5. OTHER OPTIONS CONSIDERED

5.1 None.

6. IMPLICATIONS

6.1 COUNCIL

6.2 The Council will be consulted on with the response for the Joint Handling Code consultation and made aware of any changes to our Complaints Policy.

6.3 POLICY REVIEW

6.4 As mentioned in 4.14, any changes with the introduction of the new statutory measures will be made to Derby Homes' Complaints Policy in Spring 2024. The Complaints Policy was due for review in December 2023, however to ensure alignment with the new code, this has been delayed until Spring 2024.

The areas listed below have no implications directly arising from this report: (delete as applicable)

- Consultation
- Financial and Business Plan
- Legal and Confidentiality
- Personnel
- Environmental
- Equalities Impact Assessment
- Health & Safety
- Risk

For more information please contact: Annabelle Barwick - Telephone 01332 888402 - Annabelle.barwick@derbyhomes.org	
Background information:	
List of appendices:	Appendix one – Housing Ombudsman Performance Report 2022/23

This report has been approved by the following:

Finance Director & Company Secretary	Michael Kirk	13.11.2023
Company Solicitor	Taran Lalria	14/11/2023
Head of Service	Holly Johnson	24/10/2023
Governance (checked)	Chloe Gaskell	14/11/2023