

Clive Betts MP
House of Commons
London SW1A 0AA

14th December 2021

Dear Clive,

LGSCO Triennial Review

I understand your committee would welcome our comments on the Local Government and Social Care Ombudsman's triennial review, as it touches on aspects of our joint work.

I welcome the proposals set out by the Ombudsman in their review. I am struck by their proposals to update their legislation underpinning the Scheme, in light of contemporary issues and approach to ombudsmanry. This resonates with my work to ensure our decisions can promote learning and improvement following maladministration, something that is essential to demonstrate the issues raised by people through complaints are being taken seriously and errors are not repeated. This is something I will raise in our evidence to the Select Committee for its inquiry into the quality of social housing and regulation.

There are two specific areas identified in the triennial review which directly involve the Housing Ombudsman. The first our collaborative work to close gaps in redress, mentioned in annex A. It is an important principle that people should have universal access to redress, and I welcome the Ombudsman's efforts to close gaps in their jurisdiction. Whilst the greatest gap in redress in the housing market is the private rented sector, there are areas where redress could be extended through modest changes to our legislation and, whilst I understand this is largely outside the scope of this review, we will continue working closely with the Ombudsman to identify legislative opportunities to close gaps.

The second area are our plans to jointly produce a Complaint Handling a code for councils, set out in recommendation 4.2. This is one of the first examples of two Schemes producing a joint code and, given the Ombudsman's emphasis that our current Code will be the basis for the joint one, I thought it may be helpful to provide more background on it.

The Housing Ombudsman's Complaint Handling Code was published in July 2020. The Code promotes a positive complaint handling culture, and the key principles we

believe are required to deliver that in local complaint handling. We asked our member landlords to undertake self-assessment against it within six months of the Code being published and report the outcome of the exercise to their governing body. We also asked landlords to publish the outcome of the assessment, which includes any adjustments to complaint handling policy or practice, to promote transparency with residents.

We have had very positive engagement with the Code, with more than 20,000 views of the Code page on our website and almost 2,500 downloads of the self-assessment form. It has become a key tool for us when we work with landlords to achieve early, local resolution, as well as our formal investigations.

Crucially, we will take action where we see non-compliance with the Code (or Scheme) on an individual complaint. These actions are in the form of Complaint Handling Failure Orders, which we have issued since 1 January 2020, and the order is made following multiple attempts to engage the landlord. Each quarter we publish a list of these orders, and this has led to many landlords dramatically improving their performance as a result. Additionally, we may recommend landlords review their complaints procedure in line with the Code, following a finding of maladministration for poor complaint handling.

A key aspect of the Code is promoting access and awareness to the complaint's procedure; and the significant and sustained increase in complaints since it was published can, at least in part, be attributed to the Code. Since 1 April, the Housing Ombudsman has seen a 140% increase in enquiries and complaints and, whilst we face new challenges meeting this increased demand, it is positive residents are raising legitimate complaints rather than risk them being potentially driven underground.

The Code has also sought to empower complaint handling teams at a local level. It is essential this role is taken seriously by organisations, and the team has the respect and authority to put things right when they have gone wrong and promote learning. The self-assessment exercise, and the engagement of senior leaders with it, was an opportunity for each complaints team to consider its resources, approach and engage their governing body in their important role and work.

This is a strong basis for a joint code between the two Schemes, and we look forward to developing our Code and approach with the Ombudsman. It is important to stress the core Code would continue to extend to all of our landlord members as the principles of good complaint handling should be universal.

I welcome discussing this with the committee in the future.



Richard Blakeway
Housing Ombudsman