

## Written evidence submitted by Walsh [RSH 008]

I am a private homeowner, retired civil servant with knowledge of how best practice and standard practice works within and across organisations. Unfortunately, my experience of one particular housing organisation, under a guise of broadcasting exemplary standards, has in fact been found to do the opposite. Instead of setting standards for excellence and best practice, there appears to be a culture of repeated maladministration and focus on pushing small issues towards an unnecessary long and complicated complaints process. These then tend to end with little or no resolution, without an inclusive appeal system to a regulatory committee or ombudsman, this results in feelings of dissatisfaction as no accountability is served. I feel that maladministration practices or a poorly administered complaints process, is not serving or providing care to the community, is not improving peoples lives, but is in fact impacting more upon it. It's my feeling, that the complaints system is angled to only appear as if the organisation has provided resolution as I have heard instances no resolution is offered, the letter is worded as if there has been and likely this would be recorded as a resolved complaint. It should also be noted that the complaints process is not inclusive to all in the community. Non tenants who complain and don't get resolution, can't seek resolve through the ombudsman, which is dedicated to tenants complaints. In a nut shell, this particular social housing company, unlike local council housing authorities, do not share the same robust process, operate the same standards and do not focus on customer care and community happiness.

My experience is that the East Midlands Housing Association management team appear to have a proclivity to trivialise customer issues when complaints are documented during the complaints process. I have seen resolution letters offer no solutions but plenty of rebuttals and falsely ending the letter with a statement that they have given a resolution. It has been said by tenants, that this is to skew or misdirect the viewpoint and dialogue at a review process that might follow. The current regime doesn't allow consumers to feel that complaints are being heard, understood or effectively resolved. This, I feel, only creates feelings of mistrust and unrest towards those in authority, not just to this particular authority but to all authority sectors. It is a well known societal factor at the root cause of dysfunctional social communities so should not be allowed to continue.

The impact of this poor complaints process has personally affected me and people I know. The effects have been both mentally and physically draining and this has been to the detriment of health and well-being and withdrawal from the community. It baffles me why this housing authority chooses to inflame easy solvable situations by maladministration, poor standards and confusing practices. I've personally experienced, heard, and read far too many negative experiences caused by EMH within only a few years compared with experiencing decades of a superior process by local government authority housing.

In highlighting my experience and issues, I feel issues are based on a culture of intentional maladministration by the local housing authority East Midlands Housing Group Ltd, to frustrate processes and records. I was surprised today to find that the housing authority is actually registered with the Regulator of Social Housing Standards (registration L4530) and therefore knows and should follow the standards set out in it. It is my view that issues raised are not dealt with at point of contact, there is not a process of standard communication or permission seeking and the consumer is not given consideration or treated with respect. It seems as if the company focus is all about appearing to comply with the 'standards' rather than working hard to follow them. This has promoted a feeling of despair and mistrust of the authority, unhappiness, stress and effects on health, care and well-being.

I believe the experiences of complaints handling show a possible breaches of consumer standards by this housing authority and shows a non tenant will never have redress, so the frustrated complaints process is a dead end for non tenants. This is a missed opportunity to have a cohesive collective viewpoint and call for accountability. If the regulator had greater powers, such as a

random 'spot check' system, by feedback from the whole community, or by investigating 'unresolved' cases direct from the community, then the housing authority could be held to account to explain cases which are unresolved. This would encourage the housing authority to improve relations and thereby improve processes and conditions.

Whilst supporting the initiative of 'levelling up' and the need to bring standards of living up for those living in social housing, I believe this can not be done effectively unless there is a strong, clearly defined administration process and standard lead management. The EMH housing authority is registered with the Social Housing Regulator and standards have been clearly set out but, these are found not being followed and what practices exist are made so complicated by EMH's administration practices, I can only presume it is to frustrate the process, beat the complainant down and falsely misrepresent complaints so as to appear to have concluded complaints with success and resolution. This is unacceptable behaviour.

I highlight several examples below to demonstrate a feeling of failure by EMH. I feel there is no 'standard' in processing complaints or enquiries and no 'standard' of communication and record keeping within the administration process. There also appears to be a blasé attitude and a lack of urgency by EMH to solve issues at the point of contact which leads to escalation of situations and negative feelings. The presumed lack of respect for privacy and respect for a persons right to enjoy their property without interference (either as tenant or private owner) is lacking. There appears no effective process within customer service. Due to this need, my experience has been to face aggressive tenants, additional expense to solve issues the EMH has created but dismiss responsibility for and stress to intolerable levels.

Incident 1: EMH sold a house with a clearly defined boundary stated in the conveyancing but the Tenanted neighbour had not been provided for. The two properties, under the landlord, had previously shared one driveway entrance. In conveyancing this was changed by EMH but, no provision was made to provide the tenants of the EMH property with means of access. This omission was to result in causing trespass across the privately owned driveway as EMH left their tenants property without means of access. This continued uncorrected for years and was further compounded by EMH's maintenance contractors who resurfaced their tenants driveway and encompassed a large area of the private driveway in that process, which was not owned by EMH. This served to influence the tenants belief that this was belonging to their property and work had been correctly carried out. It had not.

Upon the sale of the private residence, the deeds highlighted these errors to the new owner who promptly contacted EMH. EMH agreed an error had remained unresolved for years and looked to the surveyor to provide a driveway to their residents. EMH's recommendations to the private home owner was to mark the boundary line across the driveway and that they would inform the tenant. There was an agreement by the homeowner to allow the tenant to continue use of the access until EMH resolved this for them. Unfortunately, delays prompted the couple to become threatening, report the private homeowner to the police under a false claim of criminal damage, gathered their wider family circle, friends to argue with the homeowner, falsely report the situation on facebook which resulted in threatening remarks and calls to damage the new homeowners property. The private homeowner raised a complaint with EMH to have the post taken down, this was denied, there were questions about why the administration and communication process failed the tenant, these were avoided, there was questions why the work was only implemented when access had been withdrawn. It was felt that EMH failures of clear, correct processes were responsible for causing inflations in this case and this failure to handle the situation with care, diplomacy and promptness resulted in the unresolved unrest within the community.

Incident 2: Trespass lack of notice/communication to neighbouring community.

EMH contractors were called to install a driveway for an elderly couple but the neighbour was not approached to notify of the work or to seek permission to access and use their property to facilitate the installation. The private homeowner was out and was called by a neighbour saying there was a team of contractors digging up the garden. This caused a telephone complaint to the EMH for answers about notice. On returning to the property it was accepted there was need to access private owned land, but the issue was prior permission had not been sought. EMH gave no apology or explanation.

Incident 3: Trespass and damage : incorrect or ineffective communication to contractors:.  
Tenants called EMH to erect a fence to the side of their garage. The reason was for health and safety as the neighbouring property was lower by 3 foot and the low wall on their property was considered a trip hazard. The neighbour returned home to see the meeting taking place and after enquiring about the job, ascertained from the surveyor that the fence was to be applied to the top of the tenants wall and would not affect him or his property. Although on the boundary between the properties, no date for work was provided. Repeated banging at 7am woke the neighbour who was surprised to find the contractor chiselling out a concreted area that was on his property. The contractor was told to stop was informed of the work as it had been relayed to him by the surveyor. Instead of accepting this and apologise, he objected saying EMH had told him to do this. The homeowner was forced to argue the point. He was subjected to contradiction and slights to his character for objecting to the damage and trespass caused. The homeowner had no alternative but to report the damage and trespass to the EMH and the police. EMH did not write to apologise but phoned to say that the contractor had made an error. EMH was requested to erect a hard boundary along the boundary line. This was refused. It was requested that at point of survey, the contractor, the tenant and relevant neighbour should be written to, and this would then give notice and avoid misunderstandings. No resolution was made to the neighbour for the damage incurred, for the inconvenience or the stress of the interaction. EMH did not communicate future jobs.

Incident 4: Housing Authority Administration Communication issues: Lack of notice/permission to access neighbouring land: Questionable risk assessment by surveyor: Trespass: Delayed processes to save impact or damage: No resolution or effective resolution to prevent impact on affected neighbour/community.

A private homeowner was surprised to find scaffolding team on their driveway carrying kit to a rear garden gate the of an EMH tenant. EMH had not given notice of any intended works to the neighbouring property. The scaffolding team were told not to use the driveway by the homeowner and to stick to the shared path running towards the gate. The driveway had recently been redone following a previous contractor damaging it, the contractors agreed, but when the homeowner left, the team continued to use the driveway to take their large heavy kit into the EMH tenants rear garden. EMH were emailed saying questioning why they were not contacted for permission to access and that in order to prevent the nuisance and trespass, a temporary fence was requested to be installed between the property and the pedestrian path, to prevent further unauthorised access and damage over the homeowner's driveway. EMH said they would pass that request to the grounds team. Although apologising for the inconvenience, EMH said they would not install a barrier as the job was small and did not reply until two weeks later, at the end of the work giving false assurances that the team would only use the path. There was no apology or explanation for not gaining permission to access over the private property. It seemed evident on viewing CCTV that the EMH contractors could not solely use the pathway as it was not large enough to carry out maintenance/repairs, or deliver the kit safely. The end of the pathway was screened by a fence to oncoming pedestrians and traffic so, a local councillor was contacted to act on the homeowners behalf questioning the reason for the lack of communication, permission and for a resolution. The request was to take action to restrict trespass and due to suspected safety issues over the path access that perhaps taking route through and over an adjacent EMH owned property would be a quick and easy resolve. These suggestions were again refused by EMH saying the work teams would use the

narrow path. The response in writing also falsely recorded the issues faced by the homeowner. This felt like trivialisation of the complaint by EMH. The intrusion and interference using the private homeowners drive without authority, being asked to move their vehicle or face damage to it, having building equipment put and dropped on driveway in the transporting process to and from their tenants property, was not acted upon at all during the two weeks since reporting. A temporary protective barrier fence request, was deemed unnecessary. EMH processes are felt purposely maladministered and late blasé reply, offered no resolution or plan to improve their administration practices. This indicates that the complaint process was to delay, frustrate and force the complainant to either 'put up and shut up' or, to take a complaint towards a panel hearing and the ombudsman, or to force the individual to seek solicitor assistance. It is my feeling that EMH is breaching Consumer Standards.

*November 2021*