

Report to the Board

Cheltenham Borough Homes Limited



Date: 24 April 2013

Venue: Hester's Way Resource Centre

Title of Report: Complaints Designated Tenants' Panel

Agenda Item No: B3

Decision: Yes

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Link to Business Objectives:

Objective A: Our customers will be treated fairly and provided with opportunities to get involved and influence staff

Objective B: Communities will be strengthened to make them places people want to live

Objective C: Homes will be provided that are decent, sustainable and maintained in a quality environment

Objective D: Our business will be managed responsibly and demonstrate innovation and flexibility, ensuring our future success

Executive Summary:

On the 1st April 2013 the Localism Act 2011 came into force and this has put in place new arrangements for dealing with complaints by social tenants against their landlords. "Designated persons" will have the opportunity to play a more active role in resolving complaints at a local level.

A "designated person" is an MP, Councillor or recognised designated tenant panel.

In addition the Local Government Ombudsman service is merging with the Housing Ombudsman creating one single Housing Ombudsman service for all social housing providers.

Recommendations

That the Board recognises the CBH designated tenants' panel.

Consultation:

Consultation was carried out with the following sources:

- Feedback/Focus Group from tenants who have expressed an interest in being involved with complaints;
- Feedback from customers who attended the CBH Festival;
- Tenants who attend the Complaints Learning Group;
- Article in CBH News, distributed to all tenants/leaseholders;
- Partnership working with other social housing providers within Gloucestershire (Severn Vale Housing, Stroud District Council, Gloucester City Homes & Two Rivers Housing).

Detail:

In April 2013 the Local Government Ombudsman (LGO) and the Housing Ombudsman Service (HSO) merge to form a Single Housing Ombudsman service for all social landlords.

This will make sure complaints are handled consistently ensuring the same rules apply to all social housing providers. The new Housing Ombudsman will also have the power to enforce decisions through the courts.

The main area of change will be the way complainants will raise complaints with the Ombudsman. Complainants will need to contact a 'designated person' once their complaint has been through the landlord's complaints' process. The designated person will assist the complainant and potentially refer their complaint onto the Ombudsman. If the complainant wishes to go directly to the Ombudsman they must wait 8 weeks after the final stage of the landlord's complaints' process has been completed.

The term 'designated person' is defined as:

- Member of the House of Commons (MP); or
- Member of the local housing authority for the district in which the property is located (local councillor); or
- Designated tenants' panel – "a group of tenants which is recognised by a social landlord for the purpose of referring complaints against the social landlord".

It makes good business sense (and is a regulatory requirement within the Involvement and Empowerment Standard) that landlords support the formation and activities of tenant panels. CBH has identified a group of 4 tenants who wish to be recognised as a designated tenant panel and one individual has put themselves forward as Chair. Terms of Reference have been written by the Group, support and assistance will be given to the designated tenants' panel by CBH although they are independent.

The contact details for the Panel will be offered to any complainant who wishes to take their complaint to the Ombudsman after exhausting our complaints process. The Panel will meet with the complainant, consider the complaint and its current outcome and determine if it is willing to forward the complaint to the Ombudsman.

The designated tenants' panel membership will comprise of:

Mr Mark Wright (Chair)
Mrs Kay Wakefield
Mr Mike Euston
Mr Paul Bond

A complainant is able to wait 8 weeks after a final decision has been made at stage 3 and go directly to the Ombudsman if they so wish.

Implications

Financial:

The Ombudsman service will charge landlords £1.47 per unit, 2 years in arrears. The first payment CBH will have to make is April 2013, where it will be charged £23.52 for the 16 properties CBH owned between 1st April 2010 & 31st March 2011. These properties relate to Brighton Road. This cost will potentially increase on an annual basis once CBH takes ownership of more properties.

The cost for CBC will be £6,770.82 based on 4606 properties @ £1.47 per unit

The monitoring and reporting of compliments, comments and complaints is managed by the Customer Service Team and is incorporated into its role profile. Complaints are investigated by service managers.

Strategic Risk:

It is important that the new changes to the Ombudsman Service and our designated tenant panel are communicated clearly to tenants and leaseholders. Details will be made available to all complainants on their role and how to contact the Panel.

Equality and Diversity:

An Equality Analysis has been completed and signed off as part of the Compliments, Comments and Complaints Policy and is available for viewing on request.

Impact on Tenants and Leaseholders:

There should be a positive impact for tenants and leaseholders based on the identified learning points and service improvements. The introduction of the Localism Act will be a change for tenants and leaseholders in respect of their approach to the Ombudsman if they are not satisfied with the outcome of their Stage 3 complaint.

Health & Safety:

Consideration needs to be given with regards to the individuals who make up the designated tenants' panel and any conflict that may arise if they decide not to forward a complaint onto the Housing Ombudsman.

Environmental:

None

Human Resources:

There may be some impact on staff that are providing support/training to the designated tenants' panel.

Information Systems:

The contact and outcomes of the designated tenants' panel will be monitored and measured on a regular basis with updates supplied to Complaints Learning Group.

Governance:

The designated tenants' panel to be recognised in addition to recommendations of the Localism Act being taken into account and adhered to.

Research:

- Complaints Club meeting
- HouseMark
- Housing Ombudsman Service
- Partnership working (Severn Vale Housing, Stroud District Council, Gloucester City Homes, Two Rivers Housing)

Appendices attached:

Appendix 1: Terms of Reference for designated tenants' panel

Appendix 2: Code of conduct

Appendix 3: Confidentiality agreement