

Housing Ombudsman advice on Dispute Resolution Principles to be used by Designated Persons

There are three principles driving effective dispute resolution:

- Be fair – follow fair processes and treat people fairly
- Put things right
- Learn from outcomes

In relation to following a fair process the Designated Person (DP) may wish to consider whether the landlord gave the complainant the opportunity to raise issues and followed a clear and fair complaints process. The DP may also wish to think about using a fair process in their own consideration of the complaint.

With respect to treating people fairly the DP could look at the way the landlord treated the tenant throughout the complaint. They could also look at how the tenant treated the landlord – did the tenant have reasonable expectations and did he/she behave reasonably in pursuing their complaint. The DP should endeavour to act fairly towards both the tenant and the landlord when considering the complaint.

The DP can look at whether the Council as landlord made a genuine effort to put things right. They may wish to look at any offers made by the landlord in seeking to resolve the tenant's complaint and consider whether they were reasonable in relation to the particular facts of the complaint. They could consider whether the landlord considered all aspects of the complaint in seeking resolution as well as looking at whether the tenant had reasonable expectations of what the landlord can offer in the circumstances to resolve the complaint.

The DP can look for evidence of learning and seeking improvement by the landlord in relation to the complaint. The DP may also wish to engage in discussions with landlords and tenants about what learning can be derived from a complaint.