

# LANDLORD SERVICES ADVISORY BOARD (EXECUTIVE WORKING GROUP)

Thursday, 27 June 2024 - 10.00 am

Council Chamber, Council Offices, The Burys, Godalming

## A G E N D A

### **Circulation:**

Members:

Cllr Paul Rivers (Chair)

Terry Daubney, Waverley Tenants' Panel  
(Vice Chair)

Cllr Andrew Laughton

Cllr Jacquie Keen

Cllr Alan Morrison

Cllr John Robini

Robert Stratford, Waverley Tenants Panel

Blackmore, Waverley Tenant's Panel  
(Substitute)

Sally Purcell, Waverley Tenants Panel

Chris Austin, Lucas Field Residents Group

### **1 APOLOGIES FOR ABSENCE**

To receive apologies for absence.

### **2 NOTES OF THE PREVIOUS MEETING (Pages 3 - 6)**

To agree the notes of the previous meeting held on the 30 May 2024.

### **3 DECLARATIONS OF INTEREST**

To receive any declarations of interests under the Waverley Members' Code of Conduct.

### **4 Questions from Members of Public**

### **5 Questions from Members**

### **6 ANNUAL SELF-ASSESSMENT AGAINST THE HOUSING OMBUDSMAN'S COMPLAINT HANDLING CODE AND REPORTS ON THE HOUSING SERVICE'S COMPLAINTS HANDLING PERFORMANCE AND ITS LEARNING FROM THE COMPLAINTS (Pages 7 - 48)**

To receive feedback from the board on the report being published and to receive their comments to inform the response from the governing body that will be published alongside it.

7 **HOUSING SERVICE'S COMPENSATION POLICY REVIEW** (Pages 49 - 56)

To ask the Board to review the clarity and content of the policy before the Portfolio Holder and Head of Service approve the revised policy. To give the reader a clear understanding when compensation, refunds and reimbursement payments will be made by the Service.

8 **WAVERLEY HOMES STANDARD INFORMATION NOTE** (Pages 57 - 58)

To inform the Landlord Services Advisory Board of an intended project that will involve Waverley Borough Council tenants and leaseholders.

9 **Customer Experience Group Update and Questions** (Verbal Report)

10 **Housing Dashboard (Standing item)** (Verbal Report)

11 **EXECUTIVE HEAD OF HOUSING UPDATE** (Pages 59 - 62)

To give a verbal update to the Portfolio Holders and Board members.

12 **Date of next meeting**

## LANDLORD SERVICES ADVISORY BOARD (EXECUTIVE WORKING GROUP)

30 May 2024

### NOTES

Present:

Cllr Paul Rivers (Chair)  
Terry Daubney, Waverley Tenants' Panel  
(Vice Chair)  
Cllr Alan Morrison  
Cllr John Robini  
Cllr Janet Crowe  
Robert Stratford, Waverley Tenants Panel  
Blackmore, Waverley Tenant's Panel  
(Substitute)  
Sally Purcell, Waverley Tenants Panel

Apologies:

Julian Higson, Councillor Jacquie Keen, Annalisa Howson and Chris Austin

In attendance:

Cllr Steve Williams, David Williams (Council Tenant)

#### 15 Apologies for absence

Apologies for absence were received from Cllr Keen, Cllr Morrison, Annalisa Howson, Julian Higson and Chris Austin.

#### 16 Notes of the previous meeting

It was agreed that the minutes of the previous meeting held on the 25 April 2024 were a complete and accurate record.

Terry Daubney, Chair of the Waverley Tenants Panel proposed a recommendation on item 8 of the minutes of the meeting held on the 25 April 2024. The recommendation was as follows:

- That the customer services team ask residents if they have any related health conditions during the initial call.

#### 17 Declarations of interest

There were none.

#### 18 Questions from Members of Public

There were none.

#### 19 Questions from Members

There were none.

## **20 Complaints Summary 2023/24**

Amy Walton, Service Improvement Officer, presented a summary of the Housing Complaints received between April 2023 and March 2024.

Officers stated that one of the key takeaways from the presentation is that one of the most frustrating aspects that effected tenants was repairs. Officers also stated that they have put robust measures in place to improve complaint response time including the hiring a new complaints officer.

The Board asked for clarity about the difference between Level 1 and Level 2 complaints. Officers responded and stated that it was a two stage process. The initial Level one complaint was dealt with by the line manager. Additionally if the tenant was still not satisfied then the complaint went up to the head of service. The board also discussed the upheld housing management complaints and the high level of anti-social behaviour and asked if there was anything to be done to address it. Officers clarified that the reason for the complaint being upheld was because the actions had not yet come into effect, hence the reason for upholding the complaint.

The Board stated that it was important for the communication and repairs to be improved and that cooperation with the other organisations and agencies to reduce anti-social behaviour was essential. The Board also stated they wanted the compensation figures that have occurred due to legal disrepair claims to be brought to the next meeting.

## **21 Rents Data - March 2024**

Debbie Harding, Rents Account Manager, presented the report.

Members enquired about how much resources was put in to prevent arrears building up in the first instance. Officers responded by stating that prevention was mainly dealt with by ensuring that direct debits were in place. Officers also stated that they have set up a four weekly direct debit for pensioners to prevent arrears. Officers added that they ensured that tenants maximised their income by ensuring they were in receipt of the correct benefits. Furthermore, officers noted that they had spoken to tenants at the sign up stage and reviewed their application thoroughly.

Members also enquired about the eviction process and asked if the Council had a duty to rehouse anybody who had been evicted. Officers responding stating that they ensured that the tenants knew exactly what their options were. Officers stated that they requested permission from tenants to do a duty to refer to the homeless team.

Members discussed tenants on universal credit and how they paid their rent. Officers responded by stating the direct debit was automatically adjusted to include the fifty third week for all tenants. On the specific matter of Universal Credit tenants, officers confirmed that they had written letter to all Universal Credit claimants and informed them on how to increase their rent.

**22 Housing Dashboard (Standing item)**

Amy Walton, Service Improvement Officer provided an update on the Housing Dashboard item.

There were no further comments from the Board on the item.

**23 Q4 Corporate Performance Report 2023-24**

Hugh Wagstaff, Head of Housing and Amy Walton, Service Improvement Officer presented the Q4 Corporate Performance Report 2023-24.

Members asked for clarity about the about the rating system. Officers responded and stated that the rating system was between one and ten with responses between seven and ten classed as satisfactory.

**24 Executive Head of Housing update**

Hugh Wagstaff, Head of Housing, provided the update.

The main topic that was reported to the Board was the letting of the gas contract. The Head of Housing gave a background on the matter explaining that a couple of years ago there was a provider called CHS who gave notice that they could no longer provide the service. As an interim solution Smith & Byford were brought in to do gas servicing and boiler repairs. It was stated that was a challenge to manage to the contract due to the lack of data and vacancies within the team.

The Head of Housing also updated the Board on staff vacancies and informed the Board that the Aids & Adaptions Officer Surveyor role had been filled.

**25 Date of next meeting**

It was agreed that the next meeting of the Landlord Services Advisory Board (EWG) would take place on Thursday 27 June 2024 at 10am in the Council Chamber.

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**Waverley Borough Council**

**Report to:** Landlord Services Advisory Board

**Date:** 27 June 2024

**Ward(s) affected:** All

**Author:** Amy Walton, Service Improvement Officer

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**Executive Portfolio Holder responsible:** Cllr Paul Rivers and Cllr Janet Crowe

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janet.crowe@waverley.gov.uk

**Report Status:** Open

## **1. Annual self-assessment against the Housing Ombudsman's Complaint Handling Code and reports on the Housing Service's complaints handling performance and its learning from the complaints**

## **2. Executive Summary**

- 2.1 This report present the information that the Housing Ombudsman requires the Council to publish by the 30 June. This includes an analysis of the complaints received by the Council, a summary of the service improvements that have been made, and a self-assessment against the Complaints Handling Code.

## **3. Recommendation to LSAB:**

- 3.1 That the Board:
- Reviews and comments on the annual complaints and service improvement report and self-assessment against the Housing Ombudsman’s Complaints Handling Code.
  - Confirms that the self-assessment is a true reflection of the Housing Services complaint handling.
  - Provides comments about whether the service improvements implemented have addressed the lessons learned in the complaints.

## **4. Reason(s) for Recommendation:**

- 4.1 To be transparent with tenants about the way in which the Council handles complaints and the service improvements that have been made.

## **5. Exemption from publication**

- 5.1 No

## **6. Purpose of Report**

- 6.1 To receive feedback from the board on the report being published and to receive their comments to inform the response from the governing body that will be published alongside it.



## **7. Strategic Priorities**

- 7.1 The report supports the Council's Corporate commitment to promote *"Good quality housing for all income levels and age groups"* and aim to *"be the best council landlord in the South East and to be acknowledged so by our tenants."*

## **8. Background**

- 8.1 Compliance with the Housing Ombudsman's Complaints Handling Code was made a statutory requirement by the Social Housing (Regulation) Act 2023.
- 8.2 One of the requirements of the code is to publish annually:
- a complaints and service improvements report
  - a self-assessment against the Complaints Handling Code
  - a response from the governing body of the organisation
  - any reports published by the Ombudsman about the landlord
- 8.3 The complaints and service improvements report and self-assessment against the Complaints Handling Code are included as appendices 1 and 2.
- 8.4 The Housing Ombudsman guidance about the response from the governing body is that the response must consider what scrutiny has been carried out to ensure the accuracy of the reported information and can highlight any achievements or challenges from throughout the year.

## **9. Consultations**

- 9.1 Publishing this information is a statutory requirement.

## **10. Key Risks**

- 10.1 Not publishing the required information by the 30 June would mean that Waverley would need to report non-compliance with

the Housing Ombudsman's Complaint Handling Code. This would damage Waverley's reputation and would reduce transparency.

## **11. Financial Implications**

11.1 None

## **12. Legal Implications**

12.1 Publishing the annual complaints and service improvements report by the 30 June is a statutory requirement.

## **13. Human Resource Implications**

13.1 None

## **14. Equality and Diversity Implications**

14.1 None

## **15. Climate Change/Sustainability Implications**

15.1 None

## **16. Summary of Options**

16.1 Review and comment on the annexed report to inform the governing body's response and ensure that Waverley complies with the statutory obligation to publish this report by the 30 June.

16.2 Do nothing.

## **17. Conclusion**

17.1 It is a statutory requirement to publish the annexed information alongside a response from the governing body. This will increase

transparency with tenants about the type of complaints received and the actions taken to implement the learning from them.

## **18. Appendices**

- 18.1 Appendix 1 Summary of complaints and service improvements for year 2023/24
- 18.2 Appendix 2 Self-assessment against the Complaints Handling Code.

Please ensure the following service areas have signed off your report.  
Please complete this box, and do not delete.

Service	Sign off date
Finance / S.151 Officer	n/a
Legal / Governance	n/a
HR	n/a
Equalities	n/a
Lead Councillor	n/a
CMB	n/a
Executive Briefing/Liaison	n/a
Committee Services	n/a

## 2023/2024 Complaints Summary

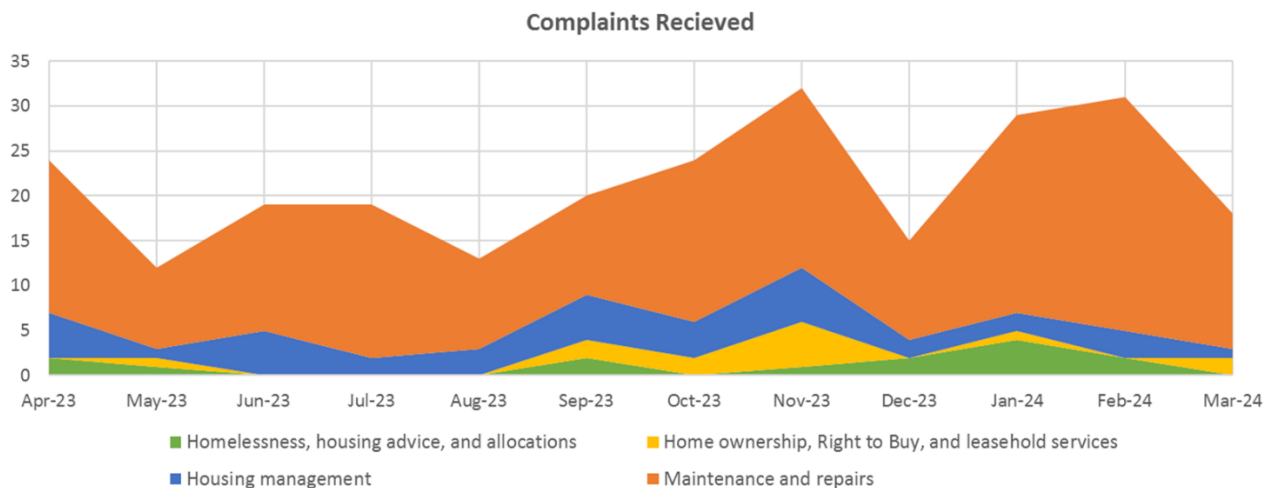
### Background

A complaint is defined as an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.

Waverley has a two stage complaint process. When a complaint is received it is first investigated by a Housing Manager as a level one complaint and responded to within 10 working days. If the resident is not satisfied with this response, then they can choose to escalate the complaint to level two. At this stage the Assistant Director reviews the level one response, carries out any necessary further investigations, and provides a response within 20 working days. If the resident remains dissatisfied after the level two response, they can escalate their complaint to the Housing Ombudsman. The Housing Ombudsman is a free service that provides a free, impartial, and independent service to investigate complaints and resolve disputes involving the tenants and leaseholders of social landlords.

### 2023/24 Overview

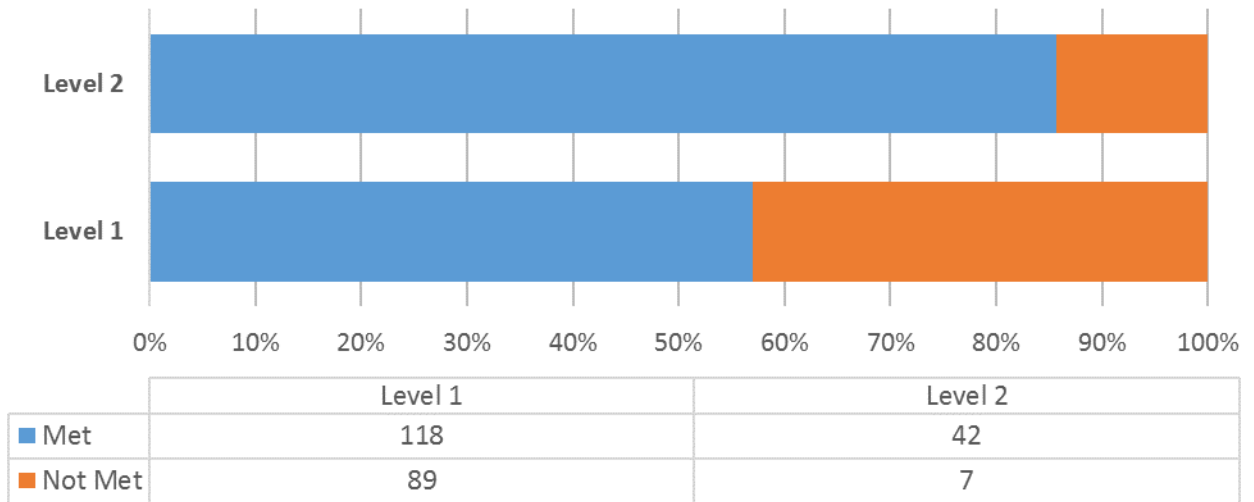
Between 1 April 2023 and 31 March 2024, the Housing Service received 207 level one complaints and 49 of these were escalated to level two complaints. Waverley also received determinations from the Housing Ombudsman on eight complaints that had been escalated to them. The service also received 20 contacts that were enquiries or service requests.



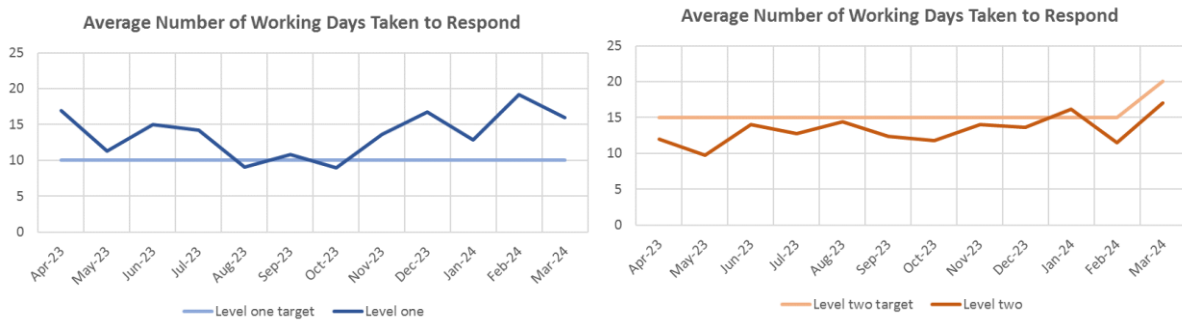
### Response Time

On 1 March 2024 the response time targets in the Housing Ombudsman Complaints Handling Code were introduced. This maintained a target of 10 working days for level one complaints and increased the target for level two complaints from 15 working days to 20 working days.

## Percentage of Complaints Responded to Within Target Timescales



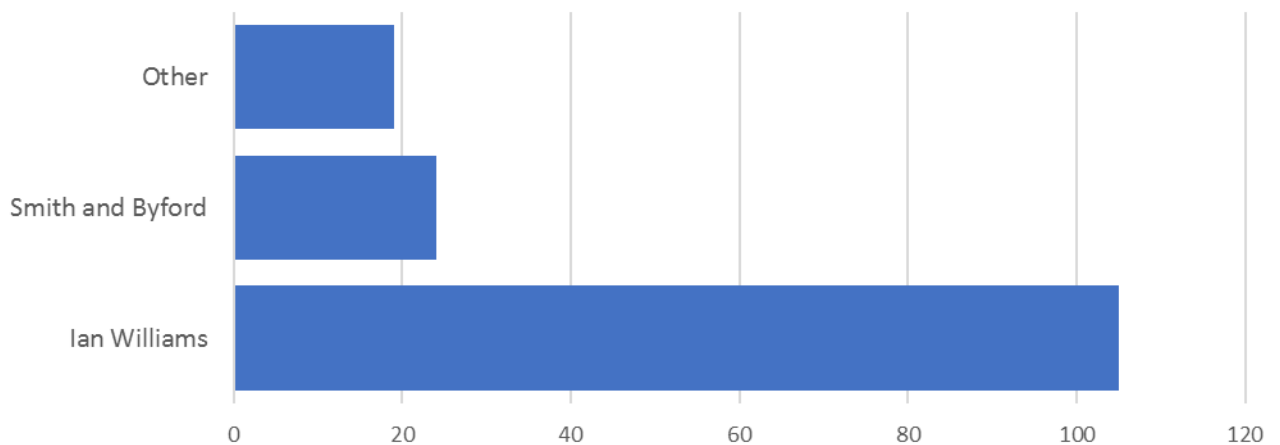
Across the year, it took 14 working days on average to respond to both level one and level two complaints. The graphs below show how this changed across the year.



## Maintenance and Repairs

There were 190 complaints related to maintenance and repairs, which is 76% of total complaints received. 148 of these complaints were upheld which is 78%.

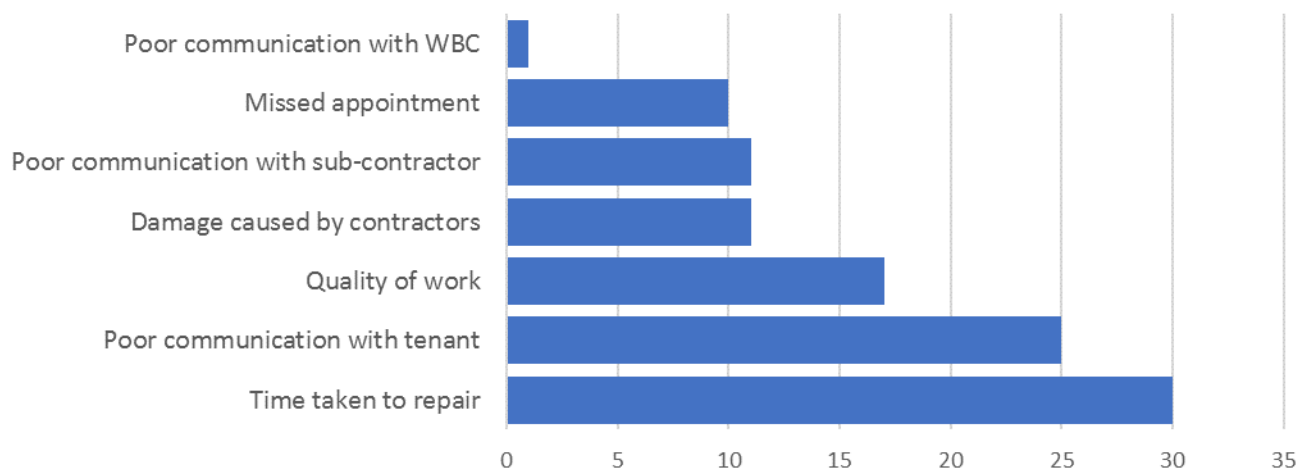
## Upheld Maintenance and Repairs Complaints



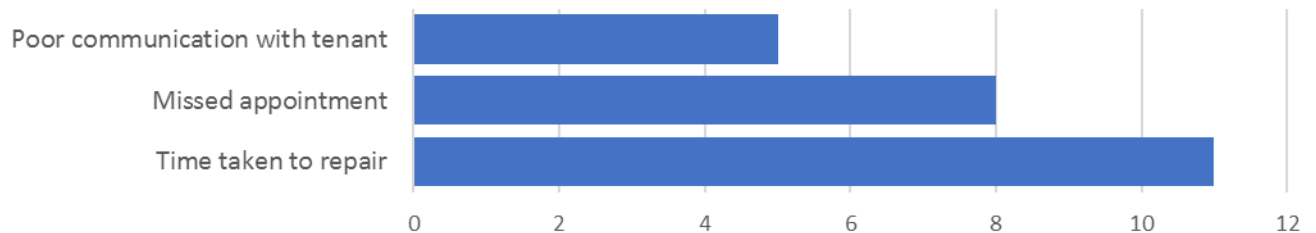
71% of upheld maintenance and repairs complaints related to work completed by Ian Williams. However, this is proportionate to the amount of work that they complete, in comparison to Smith and Byford.

The 'other' category is for contractors who carry out other smaller programmes of work such as electrical testing and for complaints which relate to former contractors.

### Upheld Ian Williams Complaints



### Upheld Smith and Byford Complaints



Communication was a common theme as 48% of complaints related to poor communication with tenants, sub-contractors, or Waverley or missed appointments. These complaints are typically where a tenant reports a repair and then does not hear anything and must continually chase to get information because they received no proactive communication about delays.

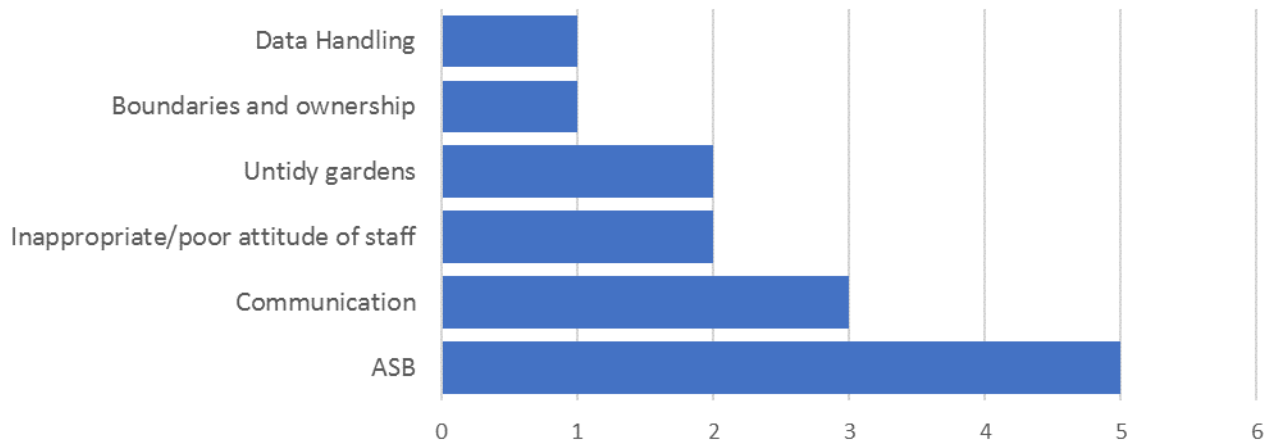
The biggest category for both contractors was time taken to repair. As these are upheld complaints, this means that following the investigation it was found that the repair was not completed within the target timescales. The most common reason for this was that multiple appointments were needed to identify the cause of the issue. This was worsened in some cases where follow up appointments were attended without the information that was identified in the previous visit leading to duplication of work and further delays.

There is a third theme in Ian Williams' complaints around the workmanship as 22% of their upheld complaints related to quality of work or damage caused by contractors. This was across a range of different types of work including external decorations, drainage, void works, bathroom and kitchen replacements, and window repairs.

## Housing Management

Housing Management upheld complaints covered a range of topics. Common across most of the complaints was frustration because the complainant thought that no action was being taken to resolve an issue that they had reported.

### Upheld Housing Management Complaints



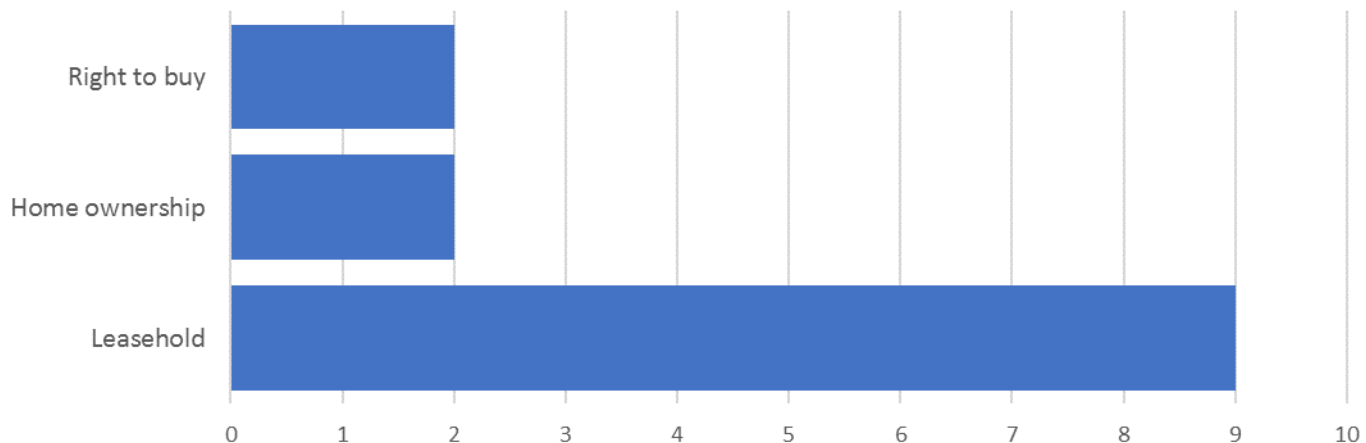
## Homelessness, Housing Advice, and Allocations

All 14 of the complaints received about this service area were not upheld. All the complaints were disputing their banding on the Housing Register or alleging that the allocations process was not fair. For each one, their case was reviewed and concluded that the proper processes had been followed.

## Home Ownership, Right to Buy, and Leasehold Services

12 of the 13 complaints received in this area were upheld. Most complaints related to not receiving a response to their request for information about their lease. This was because resourcing issues in this team meant that it took longer than normal to respond to these enquiries. The team is now fully staffed.

### Upheld Home Ownership, Right to Buy, and Leasehold Complaijps





## Housing Ombudsman Determinations Received

As mentioned above, between 1 April 2023 and 31 March 2024, Waverley received eight determinations from the Housing Ombudsman about complaints that had been escalated to them because of the tenant remaining dissatisfied following the level 1 and level 2 investigation carried out by Waverley.

In each case the Ombudsman carries out an investigation and determines if there was:

Determination Type	Description	Number received by Waverley 1 April 2023 to 31 March 2024
<b>No maladministration</b>	Waverley acted in accordance with its obligations, both contractual (lease or tenancy agreement) and relevant policies/procedures.	3
<b>Service failure</b>	There was minor failure by Waverley in the service it provided and it did not appropriately acknowledge these and/or fully put them right.	2
<b>Maladministration</b>	There was a failure which adversely affected the resident and Waverley has failed to acknowledge its failings and/or has made no attempt to put things right. Or Waverley has acknowledged failings and/or made some attempt to put things right but this was not proportionate to the failings identified.	3
<b>Severe maladministration</b>	There was a single significant failure in service or a series of significant failures which have had a seriously detrimental impact on the resident. Waverley's response to the failures exacerbated the situation and further undermined the landlord/resident relationship.	0

The Ombudsman determinations received between April 2023 and March 2024 and any service improvements made as a result are summarised in the table below:

Complaint Detail	Ombudsman Determination and Recommendations	Service Improvements
Resident concerned about the way in which Waverley handled a leak and the necessary repairs following the leak.	No maladministration Recommendation: <ul style="list-style-type: none"> <li>• Pay tenant £600 in compensation for delay to completion of work and failure to investigate every aspect of complaint at level 1</li> </ul>	Refresher training on complaints handling was given to member of staff who handled level 1 complaints. The period of retention for call recordings was extended from 30 to 60 days.
Resident concerned about Waverley's decision to use part of a communal car park as a storage and welfare area for its contractors.	No maladministration Recommendations: <ul style="list-style-type: none"> <li>• Waverley should work with the resident to establish if the contractor was using the car park at unsocial hours</li> <li>• Waverley should provide the resident with an update on when the contractors compound would be removed from the car park</li> <li>• Waverley should support the resident to access the complaints procedure if they remain dissatisfied.</li> </ul>	All recommendations implemented.
Resident concerned about Waverley's response to their complaint about the handling of a rat problem in their garden.	No maladministration.	
Resident dissatisfied with Waverley's response to their concerns about leaks and damp and mould in their wet room.	Service failure in handling of report of leak Recommendations: <ul style="list-style-type: none"> <li>• Pay tenant £400 in compensation</li> <li>• Arrange inspection of property</li> </ul>	Damp and Mould Officer has been recruited to manage all damp and mould works. Review and self-assessment was completed against the Housing Ombudsman's Damp and Mould report. This resulted in a project to implement a new case management system to monitor ongoing works.
Resident concerned about Waverley's handling of reports of noise nuisance from a neighbouring property.	Service failure in handling of the residents report of noise nuisance and the handling Recommendations:	Recommendation implemented

	<ul style="list-style-type: none"> <li>• Pay £7500 in compensation for soundproofing works carried out by the tenant</li> </ul>	
Resident concerned about Waverley's response to their reports of anti-social behaviour and queries about their garden boundary.	<p>Maladministration in complaint response</p> <p>Recommendations:</p> <ul style="list-style-type: none"> <li>• Pay resident £950 in compensation</li> <li>• Carry out a risk assessment and develop action plan with resident to resolve ASB issue</li> <li>• Provide written response to resident about garden boundary</li> <li>• Provide staff training about ASB policy and complaints handling</li> <li>• Review and update the ASB policy to include 3 step warning process</li> </ul>	All recommendations implemented.
Resident concerned about Waverley's handling of their report of kitchen repair issues and the handling of their complaint.	<p>Maladministration in handling of repair and complaint</p> <p>Recommendations:</p> <ul style="list-style-type: none"> <li>• Pay resident £1050 in compensation</li> <li>• Send the resident an apology for the handling of the kitchen repairs and the impact of this</li> <li>• Contact the resident to discuss the pest issues and confirm in writing what actions would be taken and when</li> </ul>	All recommendations implemented.
Resident concerned about Waverley's handling of tenancy breach warning letter and the use of their communal washing facilities by residents	<p>Maladministration in handling of tenancy breach warning letter</p> <p>Recommendations:</p> <ul style="list-style-type: none"> <li>• Meet with resident to discuss any support needs they have</li> <li>• Apologise to the tenant for not having a discussion about support needs when the letter was sent</li> <li>• Apologise to the tenant about the insufficient response to their</li> </ul>	All recommendations implemented

	complaint about the laundry facilities <ul style="list-style-type: none"> <li>• Pay the resident £450 in compensation</li> </ul>	
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### **Housing Ombudsman Spotlight Reports**

Throughout the year the Housing Ombudsman released several Spotlight Reports. These focus on a topic that the Ombudsman has seen in a high proportion of their recent casework. The reports highlight common issues and recommendations about how landlords can minimise these issues to improve their service.

#### *Damp and Mould*

This spotlight report was released in October 2021 and a follow up report was released in February 2023. In May 2022 a self-assessment against the actions recommended in the spotlight was carried out and an action plan was created based on the gaps identified around taking proactive action, record keeping, and following up on completed work to ensure that the problem is resolved. This action plan was completed in 2023 including the introduction of an updated Damp and Mould Policy and Procedure in July 2023 and the recruitment of a Damp and Mould Officer.

#### *Knowledge and Information Management*

This spotlight report was released in May 2023 and made 21 key recommendations around the creation, storage, use, and sharing of information. In response to the KIM report we carried out a self-assessment against the recommendations and identified there was a lot of work to do in this area. Two projects have taken place this year to implement the recommendations of this report. Firstly, we carried out a stock condition survey which has improved the accuracy of the information that we hold about our homes. Secondly, a project is ongoing to implement a new asset management system. This is the software that holds all the information about the physical condition of our homes. This project will empower officers by ensuring that the databases are easy to interrogate and that the data can be extracted and used, which improves risk management and planning for future maintenance programmes. To improve the quality of data and maintain the integrity of the new data we have on our homes a wider change programme has been approved which includes developing and implementing a housing wide data management strategy.

### **Service Improvements**

Each complaint is an opportunity to learn from the experiences of tenants and improve the Housing Service. Below is a summary of the service improvements that were made between April 2023 and March 2024 because of lessons learned from complaints.

#### **Complaints Handling**

Complaint handling is a key area for improvement because only 57% of level one complaints and 86% of level two complaints were responded to on time across the year. There is currently a Corporate Complaints Officer whose role focuses on supporting Assistant Directors with responding to level two complaints, runs training for Housing Managers about complaints handling, and handles any complaints which are escalated to the Housing Ombudsman. The Housing Service has now appointed a Housing Complaints Officer to provide support to Housing Managers when responding to level one complaints. The aim of this change is to make an improvement to the consistency of the quality of complaint responses and reduce the time taken to respond. This role will also have a broader focus

on analysing the trends in complaints and encouraging a positive culture in which complaints are seen as an opportunity to learn and make improvements to the Housing Service.

### **Maintenance and Repairs**

As 76% of all complaints received related to maintenance and repairs, this was a key focus of improvements made to the service over the year. The three trends that emerged from the complaints were communication, time taken to repair, and the quality of work. The service improvements are categorised by these trends below.

#### Communication

- Reviewed and enhanced Ian William's Customer Liaison Officer role to focus on working with tenants to understand and resolve issues and working with Waverley to respond to complaints and embed lessons learned.
- Recruited a Housing Operations Support Officer to organise and take minutes at all operational meetings between Waverley and Ian Williams to ensure a comprehensive record of all decisions and actions is kept.
- Continued with the project to improve the interface between Waverley's and Ian Williams' IT systems so that Officers have greater oversight of ongoing works.

#### Time taken

- Waverley have agreed an interim solution with Ian Williams to resolve the backlog of scaffolding jobs. Work is ongoing to find a permanent solution.
- Ian Williams have hired additional operatives to improve their team resilience.
- Ian Williams have improved the management of their sub-contractors by increasing communication.

#### Quality of work

- Waverley's team of inspectors was expanded to increase the amount of work completed that Waverley post-inspects
- Waverley is working with Ian Williams to improve the transparency of their own post-inspection process.

### **Housing Management**

Almost all the upheld complaints in this service area related to issues around timely communication with tenants about concerns they had reported with their home or neighbourhood. The team has changed its structure to include a Housing Manager, two Senior Housing Officers, and five Housing Officers. The introduction of the role of Senior Housing Officer provides support to Housing Officers with more complex and time consuming cases and provides support to the Housing Manager in managing the Housing Officer team to effectively follow processes.

### **Home Ownership, Right to Buy, and Leasehold Services**

All upheld complaints in this service area were about the time taken to respond to enquiries about leaseholds and Right to Buy applications. The delayed responses because the only Officer able to respond to these enquiries had an extended period of absence and it took time to arrange agency cover. Now the team is aware of this low resilience in this area and the impact that it can have on service delivery they are better prepared to arrange agency cover for any future periods of absence.

## **Aids and Adaptations Review**

In 2022/23 Housing Ombudsman investigated a complaint from a tenant about the Aids and Adaptations service and made a maladministration finding. This report from the Ombudsman, with their determination and recommendations, was received right at the end of March 2023 so the improvements in response have happened in the April 2023 to March 2024 year covered by this report. Waverley has implemented all of the Ombudsman's recommendations. This included carrying out a comprehensive review of the policy and procedure based on feedback provided by 50 tenants. This review identified that the policy and procedure was fit for purpose but that the teams involved would benefit from refresher training on their contents and legal advice on which requests are defined as 'reasonable'. The current process requires that all requests estimated to cost over £15,000 are reviewed by a panel of Officers to determine whether the request is 'reasonable'. This ensures consistent judgements are made.

Other actions taken to improve the aids and adaptations process:

- The Aids and Adaptions Officer role who manages this process was vacant between December 2023 and May 2024. A qualified surveyor has been recruited to role and their expertise will support the team in scrutinising the quality of work and managing the contractors.
- There is now an Officer within the Housing Operations Support Team to support with the case management process and communication with tenants.
- The role of the Ian Williams Customer Liaison Officer has been reviewed and their focus on communicating with tenants to proactively resolve issues has been enhanced.
- Monthly meetings are held between the Aids and Adaptations Officer and the person who manages this workstream at Ian Williams to facilitate communication about ongoing works.
- The information provided on the website and the online application form have both been reviewed to ensure that they are easy to access and to understand.
- A common cause of delays in the aids and adaptations process is that Waverley rely on the Occupational Therapist assessment services provided by Surrey County Council which have long waiting lists. Several options for resolving this are being considered, including procuring a specific contractor.

## **Decants Process Review**

A decant is when a tenant must temporarily move to an alternative home while repair work is carried out to their original home. Following a complaint about the decant process, a review of the process was carried out. After discussion with tenants who have experienced decants and with the Officers who manage them, the updated procedure included more detailed requirements for communication such as assigning a single point of contact 'decant officer' and a description of the communication that should take place before the decant to set expectations and gather the necessary information about the tenant's needs. This project is ongoing as the updated procedure needs to be embedded within the team.

## Appendix A: Self-assessment form

This self-assessment form should be completed by the complaints officer and it must be reviewed and approved by the landlord's governing body at least annually.

Once approved, landlords must publish the self-assessment as part of the annual complaints performance and service improvement report on their website. The governing body's response to the report must be published alongside this.

Landlords are required to complete the self-assessment in full and support all statements with evidence, with additional commentary as necessary.

We recognise that there may be a small number of circumstances where landlords are unable to meet the requirements, for example, if they do not have a website. In these circumstances, we expect landlords to deliver the intentions of the Code in an alternative way, for example by publishing information in a public area so that it is easily accessible.

## Section 1: Definition of a complaint

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
1.2	A complaint must be defined as: <i>'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.'</i>	Yes	Definition is included in Complaints Handling Policy and Housing Complaints web page	
1.3	A resident does not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make complaint. A complaint that is submitted via a third party or representative must be handled in line with the landlord's complaints policy.	Yes	Complaints Handling Policy states "We will be flexible in how complaints are received – by phone, letter, email, via the internet or in person."	
1.4	Landlords must recognise the difference between a service request and a complaint. This must be set out in their complaints policy. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be	Yes	Definition is explained with examples in Complaints Handling Policy and Housing Complaints web page	



	recorded, monitored and reviewed regularly.			
1.5	A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Landlords must not stop their efforts to address the service request if the resident complains.	Yes	Complaints Handling Procedure does not require issue to be resolved before complaint response is sent.	
1.6	An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.	Yes	Tenants who express high levels of dissatisfaction in the transactional repairs survey and in the Tenant Satisfaction Measures survey are contacted by officer to resolve the issue and offer them the opportunity to complain	

## Section 2: Exclusions

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
2.1	Landlords must accept a complaint unless there is a valid reason not to do so. If landlords decide not to accept a complaint they must be able to evidence their reasoning. Each complaint must be considered on its own merits	Yes	Complaints Handling Policy	Only one complaint was not considered in 2023/24. This was because complaint was made on behalf of tenant and did not have permission to disclose information to the third party.
2.2	<p>A complaints policy must set out the circumstances in which a matter will not be considered as a complaint or escalated, and these circumstances must be fair and reasonable to residents. Acceptable exclusions include:</p> <ul style="list-style-type: none"> <li>• The issue giving rise to the complaint occurred over twelve months ago.</li> <li>• Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.</li> </ul>	No		Complaints Handling Policy does not explicitly list acceptable exclusions. This is included in the updated version which is currently going through the governance process.

	<ul style="list-style-type: none"> <li>Matters that have previously been considered under the complaints policy.</li> </ul>			
2.3	Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.	Yes	Complaints Handling Policy does not have set criteria to exclude complaints so all complaints are considered.	This is included in the updated version which is currently going through the governance process.
2.4	If a landlord decides not to accept a complaint, an explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.	Yes	Complaints are refused very rarely but residents are given a full explanation if this is the case.	This is not explicitly mentioned in the current policy version but it happens in practice. It is included in the updated version which is currently going through the governance process.
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	Yes	Complaints are refused very rarely and this is always based on careful consideration of the specific context.	

### Section 3: Accessibility and Awareness

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
3.1	Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.	Yes	Complaints Handling Policy states that residents can complain via any communication method, including via a third party. Communication needs are recorded.	
3.2	Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.	Yes	Training carried out by Corporate Complaints Officer with Housing Managers to ensure all are aware of the complaints process.	
3.3	High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.	Yes	Training carried out by Corporate Complaints Officer stresses that complaints should be seen as an opportunity to learn from the experiences of tenants.	

3.4	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two stage process, what will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord's website.	Yes	Complaints Handling Policy is available on website	
3.5	The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code.	Yes	Housing Complaints web page and details provided in tenant newsletter published every 6 months.	
3.6	Landlords must give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord.	Yes	Tenants can have representatives or an accompanying person at all interactions with the Housing Service, including the complaints process.	
3.7	Landlords must provide residents with information on their right to access the Ombudsman service and how the individual can engage with the Ombudsman about their complaint.	Yes	Information about Ombudsman is available on the Housing Complaints webpage, in the tenant newsletter published every six months, and at the end of every level 2 response.	

## Section 4: Complaint Handling Staff

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
4.1	Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the 'complaints officer'. This role may be in addition to other duties.	Yes	Already have one part time Corporate Complaints Officer (council wide) and have recruited a Housing Complaints Officer.	
4.2	The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly.	Yes	Job description of Corporate and Housing Complaints Officers includes working with colleagues across the Housing Service and all colleagues are expected to cooperate with their enquiries.	
4.3	Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and must be resourced to handle complaints effectively	Yes	Training run by Corporate Complaints Officer for Housing Service includes emphasis on the importance of learning from complaints.	

## Section 5: The Complaint Handling Process

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
5.1	Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain.	Yes	Complaints Handling Policy – policy applies to all complaints received by the council.	
5.2	The early and local resolution of issues between landlords and residents is key to effective complaint handling. It is not appropriate to have extra named stages (such as ‘stage 0’ or ‘informal complaint’) as this causes unnecessary confusion.	Yes	Complaints Handling Policy has two stage process.	
5.3	A process with more than two stages is not acceptable under any circumstances as this will make the complaint process unduly long and delay access to the Ombudsman.	Yes	Complaints Handling Policy has two stage process.	
5.4	Where a landlord’s complaint response is handled by a third party (e.g. a contractor or independent adjudicator) at any stage, it must form part of the two stage complaints process set out in this Code. Residents must not be expected to go through two complaints processes.	Yes		No complaints are handled by a third party.

5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	Yes		No complaints are handled by a third party.
5.6	When a complaint is logged at Stage 1 or escalated to Stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will refer to this as “the complaint definition”. If any aspect of the complaint is unclear, the resident must be asked for clarification.	No		If the assigned investigating officer is unclear about what the complaint is about then they will contact the resident to clarify. However, currently if they are happy that they understand the complaint based on the information supplied then they do not contact the resident to check this. The acknowledgment is sent automatically by the complaints recording system. We are currently working on including a description of the complaints in this automated email.
5.7	When a complaint is acknowledged at either stage, landlords must be clear which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear.	Yes	Complaints Handling Procedure states that responses should be clear about whether the Council is responsible for the issue.	
5.8	At each stage of the complaints process, complaint handlers must:	Yes	Complaints Handling Policy states that tenants must be	



	<ul style="list-style-type: none"> <li>a. deal with complaints on their merits, act independently, and have an open mind;</li> <li>b. give the resident a fair chance to set out their position;</li> <li>c. take measures to address any actual or perceived conflict of interest; and</li> <li>d. consider all relevant information and evidence carefully.</li> </ul>		<p>treated fairly and impartially. Training carried out by Corporate Complaints Officer focuses on using this approach.</p>	
5.9	Where a response to a complaint will fall outside the timescales set out in this Code, the landlord must agree with the resident suitable intervals for keeping them informed about their complaint.	Yes	Complaints Handling Policy states that Officers will keep tenants informed of any delays.	
5.10	Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review.	Yes	Any adjustments are recorded under tenant record in the housing management system.	
5.11	Landlords must not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do so. Landlords must clearly set out these reasons, and they	Yes	Complaints Handling Policy does not include reasons for refusal of complaints. Complaints are refused very rarely but residents are given a full explanation if this is the case.	

	must comply with the provisions set out in section 2 of this Code.			
5.12	A full record must be kept of the complaint, and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.	Yes	Complaints Handling Procedure ensures full records are kept	
5.13	Landlords must have processes in place to ensure a complaint can be remedied at any stage of its complaints process. Landlords must ensure appropriate remedies can be provided at any stage of the complaints process without the need for escalation.	Yes	Complaints Handling Policy states that “we will encourage staff to resolve complaints at the earliest opportunity.”	
5.14	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review.	Yes	Persistent Complainant Policy requires that decision about restrictions is made by the relevant Assistant Director and this will be recorded.	
5.15	Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard	Yes	Persistent Complainant Policy states that restrictions must be proportionate.	

	for the provisions of the Equality Act 2010.			
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## Section 6: Complaints Stages

### Stage 1

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.1	Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident.	Yes	Complaints Handling Procedure states that complaints are assigned to an appropriate investigating officer and then they prioritise.	
6.2	Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure <b><u>within five working days of the complaint being received.</u></b>	Yes	Complaints Handling Procedure states that level 1 complaints will be acknowledged within 3 working days.	
6.3	Landlords must issue a full response to stage 1 complaints <b><u>within 10 working days</u></b> of the complaint being acknowledged.	Yes	Complaints Handling Procedure states that level 1 complaints will be responded to within 10 working days.	
6.4	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident	No		This is not explicitly mentioned in the current policy version but it happens in practice. It is

	of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident.			included in the updated version which is currently going through the governance process.
6.5	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	No		This is not explicitly mentioned in the current policy version but it happens in practice. It is included in the updated version which is currently going through the governance process.
6.6	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes	Complaints Handling Policy states that “we will encourage staff to resolve complaints at the earliest opportunity.” Training by the Corporate Complaints Officer states that Officers should not wait for the issue to be resolved before responding.	
6.7	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	Training run by the Complaints Officer states that response must be comprehensive.	
6.8	Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been	Yes	Training run by the Complaints Officer states that response must be comprehensive.	

	issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.			
6.9	Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language: <ul style="list-style-type: none"> <li>a. the complaint stage;</li> <li>b. the complaint definition;</li> <li>c. the decision on the complaint;</li> <li>d. the reasons for any decisions made;</li> <li>e. the details of any remedy offered to put things right;</li> <li>f. details of any outstanding actions; and</li> <li>g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.</li> </ul>	Yes	Template used for responses includes all of this information	

### Stage 2

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.10	If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it must be progressed to stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.	Yes	Complaints Handling Procedure has two stage process.	

6.11	Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure within five working days of the escalation request being received.	Yes	Complaints Handling Procedure states that level 2 complaints will be acknowledged within 3 working days.	
6.12	Residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.	Yes	Complaints Handling Policy and Procedure do not require tenant to give reason for escalation.	
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.	Yes	Complaints Handling Procedure states that level 1 will be investigated by relevant Housing Manager and level 2 will be investigated by relevant Assistant Director.	
6.14	Landlords must issue a final response to the stage 2 <b><u>within 20 working days</u></b> of the complaint being acknowledged.	Yes	Complaints Handling Procedure states that level 2 complaints will be responded to within 20 working days.	
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.	No		This is not explicitly mentioned in the current policy version but it happens in practice. It is included in the updated version which is currently going through the governance process.

6.16	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	No		This is not explicitly mentioned in the current policy version but it happens in practice. It is included in the updated version which is currently going through the governance process.
6.17	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes	Complaints Handling Policy states that “we will encourage staff to resolve complaints at the earliest opportunity.” Training by the Corporate Complaints Officer states that Officers should not wait for the issue to be resolved before responding.	
6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	Training run by the Complaints Officer states that response must be comprehensive. Complaints Handling Procedure states that responses must deal with every aspect of the complaint.	
6.19	Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language: a. the complaint stage; b. the complaint definition; c. the decision on the complaint; d. the reasons for any decisions made; e. the details of any remedy offered to put things right;	Yes	Template used for responses includes all of this information	



	<p>f. details of any outstanding actions; and</p> <p>g. details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.</p>			
6.20	Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.	Yes	Complaints Handling Procedure has two stages.	

### Section 7: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
7.1	<p>Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include:</p> <ul style="list-style-type: none"> <li>• Apologising;</li> <li>• Acknowledging where things have gone wrong;</li> <li>• Providing an explanation, assistance or reasons;</li> <li>• Taking action if there has been delay;</li> <li>• Reconsidering or changing a decision;</li> <li>• Amending a record or adding a correction or addendum;</li> </ul>	Yes	Complaints Handling Procedure includes guidance on appropriate remedies.	

	<ul style="list-style-type: none"> <li>• Providing a financial remedy;</li> <li>• Changing policies, procedures or practices.</li> </ul>			
7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.	Yes	Complaints Handling Procedure states that remedies must be proportionate with the aim of putting the complainant in the position they would have been in if things had not gone wrong.	
7.3	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.	Yes	Template used for responses includes this detail.	
7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.	Yes	Corporate Complaints Officer is aware of guidance from Ombudsman and uses this to inform their training.	

## Section 8: Self-assessment, reporting and compliance

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
8.1	<p>Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include:</p> <ul style="list-style-type: none"> <li>a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements.</li> <li>b. a qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept;</li> <li>c. any findings of non-compliance with this Code by the Ombudsman;</li> <li>d. the service improvements made as a result of the learning from complaints;</li> <li>e. any annual report about the landlord's performance from the Ombudsman; and</li> <li>f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.</li> </ul>	Yes	Published on web page	

8.2	The annual complaints performance and service improvement report must be reported to the landlord's governing body (or equivalent) and published on the on the section of its website relating to complaints. The governing body's response to the report must be published alongside this.	Yes	Published on web page	
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Yes		Not necessary in 2023/24
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	Yes		Not necessary in 2023/24
8.5	If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website Landlords must provide a timescale for returning to compliance with the Code.	Yes		Not necessary in 2023/24

## Section 9: Scrutiny & oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
9.1	Landlords must look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.	Yes	Annual complaints and service improvement report includes trends identified and how these were used to make improvements to service	
9.2	A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.	Yes	Training run by Corporate Complaints Officer emphasises that complaints are an opportunity to use experience of tenants to improve service.	
9.3	Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.	Yes	Annual complaints and service improvement report and monthly updates on complaints given to Landlord Services Advisory Board (scrutiny group of tenants and councillors).	
9.4	Landlords must appoint a suitably senior lead person as accountable for their complaint handling. This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.	Yes	Assistant Director of Communications and Customer Services is accountable.	

9.5	In addition to this a member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').		Member Responsible for Complaints is the Councillor designated as the Portfolio Holder for Customer Services.	
9.6	The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.	Yes	Report provided to Executive quarterly.	
9.7	As a minimum, the MRC and the governing body (or equivalent) must receive: a. regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance; b. regular reviews of issues and trends arising from complaint handling; c. regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and		Report provided to Executive quarterly.	

	d. annual complaints performance and service improvement report.			
9.8	<p>Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:</p> <p>a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;</p> <p>b. take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and</p> <p>c. act within the professional standards for engaging with complaints as set by any relevant professional body.</p>	Yes	<p>Training offered by the Complaints Officer stresses that all complaints must be handled respectfully and colleagues must cooperate with enquiries from the assigned investigating officer.</p>	

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## Landlord Services Advisory Board 27 June 2024

### Item 8 – The Housing Service’s Compensation Policy Review

#### Background

The Housing Service’s compensation policy has reviewed taking into account the following -

- The Housing Ombudsman’s Complaint Handling Code [The Complaint Handling Code | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](#)
- The Housing Ombudsman’s remedies policy [Remedies Policy | Housing Ombudsman \(housing-ombudsman.org.uk\)](#)
- Data from the complaints the Housing Service has received.

The aim of the policy is to give the reader a clear understanding when compensation, refunds and reimbursement payments will be made by the Service.

The Board are asked to review the clarity and content of the policy before the Portfolio and Head of Service approve the revised policy.

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Service improvement officer

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Waverley Borough Council  
**Housing Service**  
**Compensation Policy**

**Latest version number: 2.2**

**Latest publication date: July 2022**

**Lead Officer / Team: Service Improvement Team**

## 1. Document Information & Governance

### Approval & Publication:

Approving Body	Approval route requirement	Publication Type	Publication requirement	Review frequency	Document owner	Next Review Date
Portfolio Holder for Housing		External	Required by Housing Ombudsman	Annual		

### Version Control Information:

Version	Version Status (Draft, Approved /Published Internally or Externally)	Date	Version Comment	Version Author
V1	Final version / Published	July 2017	1 <sup>st</sup> Publication	
V2	Final Approved & Re-Publication	July 2018	Review	
V2	Final Approved & Re-Publication	July 2022	Review	AH
V2.1	Draft	March 2024	Full review	AH

### Impact Assessments and Consideration:

Impact Assessment Type	Required / Not Required	Date Completed	Impact Assessments and Considerations Comment	Assessment Owner
Equality Impact Assessment	n/a			
Data Protection Impact Assessment	n/a			
Climate Change	n/a			

## 2. Document Statement

This policy explains the circumstances in which compensation, refunds and reimbursement payments are awarded. We aim for excellent customer service and acknowledge that sometimes our actions may cause inconvenience or financial loss to residents. When this happens, we shall ensure that residents are not disadvantaged by offering compensation and other remedies.

If services fail or fall below acceptable standards, we follow Housing Ombudsman Policy and Guidance on remedies (2022). We try to put matters right quickly and efficiently and try to resolve problems before the need for compensation arises.

## 3. Scope of Policy

- This policy applies to all current and former tenants, leaseholders (residents) and licensees
- Payments will not be made where it is identified that the matter does not fall within the Council's responsibility. Examples include tenant and leaseholder repair obligations
- In addition, compensation is not a replacement for home contents or leasehold building insurance. Tenants and leaseholders are responsible for arranging their own contents insurance for accidental damage to their belongings
- Where a debt is owed to the Council (e.g. arrears or service charges), compensation payments will be offset to pay the debt. Any credit remaining can be refunded to the resident. This does not affect reimbursement payments for costs incurred by the resident.

## 4. Definitions

- **Compensation Payments** are awarded where it is recognised by the Council that there has been a service failure which has caused inconvenience/loss to the tenant / resident
- **Discretionary Payments** cover associated expenses for tenants moving from their home permanently or temporarily. This applies when tenants are moving out and moving back.
- **Disturbance Payments** are statutory payments, the Council can give financial assistance towards tenants' removal expenses.
- **Right to Repair** is a statutory compensation scheme which enables residents to have qualifying repairs completed within a time limit or receive compensation where they have not been carried out within the prescribed time
- **Home Loss** payment is a statutory payment made to tenants or owner-occupiers who have lived in their property for a minimum of 12 months and are required to move home permanently because of redevelopment or demolition of their home. Payment is only payable where a displacement (move) is compulsory.

## 5. Policy Statement

Compensation will be considered, where services the Council is responsible for fail or fall below expected standards if this results in a direct financial loss or distress and inconvenience.

Where financial payments are appropriate, they are proportionate to the loss or inconvenience caused.

Some payments the Council makes are mandatory as set out in law. These include home loss payments and disturbance payments.

### **When compensation will be considered**

- When certain qualifying repairs have not been completed on time
- When essential services set out in tenancy or lease agreement have not been provided
- When an appointment has not been kept and we have not informed the resident in advance
- When any room in the home cannot be used because of lack of repair
- Where we have not followed our policies
- Where complaint handling has been poor.

### **When compensation will not be considered**

- Delays to repairs where the resident seeking compensation has failed to provide reasonable access
- Delays to repairs due to the need to obtain spare parts that we would not expect a contractor to have in stock and where residents have been kept informed of the timescales involved
- Delays where extra work is required, and the contractor has kept residents informed of the timescales involved
- Where the fault is caused by a third party or is something that the Council is not responsible for, and we can demonstrate that we have taken all reasonable action to resolve the matter e.g. leaks from a tenants or leaseholder's plumbing into the flat below
- Claims for loss of earnings to provide access for repairs or other services
- Claims from leaseholders for loss of rental income. Claims from sub-tenants of leaseholders.
- Circumstances beyond our control e.g. storm damage or flooding from extreme weather
- Delayed repairs to the communal areas of a building, except where the resident can demonstrate an impact on them. E.g. lift breakdown where there is no access to an alternative lift and a resident has restricted mobility
- Damage caused to a resident's possessions due to the negligence of the Council or its contractors. These claims should be submitted as public liability claims for consideration by the Council's insurance provider.

## **6. Types of compensation payments**

### **Discretionary payments**

These payments are set out in the Housing Ombudsman's guidance on complaint remedies, and the Council makes payments to compensate service failure, financial loss, or inconvenience. The Council offers standard amounts in line with the Housing Ombudsman's guidance for frequently occurring minor service failures which may not have had a significant impact on a tenant such as a missed appointment.

## Refunds and reimbursements

These are payments the Council can make where a tenant or leaseholder can demonstrate financial loss. In these cases, costs must be reasonable, and evidence provided.

### Mandatory Payments

#### 6.1.1 Home Loss

Home loss payments may be made to tenants or owner-occupiers who have lived in their property for a minimum of 12 months and are required to move home permanently because of redevelopment or demolition of their home. Home loss payment is only payable where a displacement (move) is compulsory. This is payable in line with the law.

#### 6.1.2 Disturbance

Disturbance payments may be made to tenants who must move to another property temporarily or to people who have lived at a property less than 12 months and must move home permanently. This payment is for reasonable moving costs. Disturbance payments cover 'reasonable expenses' incurred during the move. Where people who are displaced from properties that have had specified structural modifications for disabled people should include an amount equal to any reasonable expenses incurred by the person entitled to that payment in making comparable modifications to the alternative dwelling to meet the needs of that disabled person.

#### 6.1.3 Improvements

At the end of a tenancy the Leasehold Reform, Housing and Urban Development Act 1993 gives secure tenants the right to compensation for certain tenant financed improvements that have had the written permission of the Council.

#### 6.1.4 Right to repair

The Right to Repair Regulations covers specific repairs, if these are not carried out within that time you may be entitled to compensation. You can find details of which repairs are covered on our website. If your repair is covered by the Regulations and the contractor does not fix it within the time limit, please contact the Council, and if the repair is not completed within the second time limit (prescribed period) you may be entitled to compensation.

## 7. Requesting Compensation

Tenants eligible for compensation through mandatory payments will be supported by the housing team to ensure compensation is received.

Other types of compensation will be assessed through the complaints process (see related information below).

## 8. Formal Redress

Requests for compensation are often made through the Council Complaints procedure. Complaints unable to be resolved are dealt with by the Independent [Housing Ombudsman Service](#).

## 9. Document Improvement

The Council welcomes comments and feedback on its policies and procedures. Please contact the Housing Service Improvement Team if you have any comments.

## 10. Related information

### Other Related Council Policies / Information

More information on the Council's complaint procedure can be found on the Waverley Borough Council website [complaints page](#).

### Other Documents

[The Complaint Handling Code | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](#)



## Waverley Borough Council

**Information note to:** Landlord Services Advisory Board

**Date:** 6<sup>th</sup> June 2024

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## Waverley Homes Standard Information Note

The purpose of this information note is to inform the Landlord Services Advisory Board of an intended project that will involve Waverley Borough Council tenants and leaseholders. The details of the project are to be agreed and the below provides an informative only on an outline plan. Further information will be brought to the Landlord Services Advisory Board as the project develops.

### Project Summary:

To co-develop a Waverley Homes Standard with our tenants and leaseholders. The Standard will be broken down into service standards and building standards which will include, but is not limited to, communication, new-build design standards, lettable standard and component selections.

The purpose of developing this new standard is to:

- develop a shared vision for what high quality homes look and feel like in Waverley
- bring teams across the service together behind one shared vision, working on common goals
- streamline decision making processes
- improve workflow efficiency
- uphold a quality for our homes that we are proud of

The new standard will be co-developed with officers, members, tenants and leaseholders. An engagement strategy will be agreed and will include a tiered approach including internal and external key stakeholder workshops, letter surveys and individual conversations. It is important the engagement strategy seeks to be inclusive and encourages representative input from our residents and leaseholders. Officers and Members from across the Council will be included in stakeholder workshops and 1:1 conversations. As the draft Standard evolves, tenants, leaseholders, officers and members will be engaged and consulted.

### Project deliverables:

- A succinct public-facing document which provides a clear description of the Standard for officers, residents and leaseholders.
- Sharepoint folder with sub-folders which organise relevant templates, guidance and standards for officers to use to deliver the agreed Standard.

### Desired outcomes:

- A meaningful engagement process with officers, residents and leaseholders which informs a co-designed Standard for Waverley council-owned homes.

- An accessible, legible, and short front-facing document which outlines the new Standard, for officers to implement and residents to hold us to account on.
- An improved quality of service delivery standard
- An improved quality of buildings standards (new-build and existing)

**Project programme:**

Subject to approval from the Head of Service it is anticipated that desktop research will begin in June, stakeholder engagement to be undertaken over the summer months (officers, members, tenants and leaseholders) and the draft standard to be drafted in the autumn.

**Recommendation:**

LSAB are asked to comment on the proposals in this note and advise on agreement to the approach being taken.

## Landlord Services Advisory Board 27 June 2024

### Item 11 – Head of Service Update

The Head of Housing wishes to update the Portfolio Holders and Board members of the following:

#### **Consumer Standards Regulatory Review and Assessment**

New regulations came into effect on 1 April, including four additional Consumer Standards which put tenants firmly at the centre, holding landlords accountable for providing safe, good quality homes. The Regulator of Social Housing will inspect landlords with 1,000 or more social homes to ensure they are meeting the standards.

We are pleased to share that the Housing Quality Network has been appointed to undertake an initial review and assessment against the Consumer Standards for Waverley Borough Council. This important piece of work will provide us with an indicative grading and a clear improvement plan to address any gaps before we are inspected for real. The project with HQN will run from June–September 2024.

- The Safety and Quality Standard ensures the provision of safe and good quality homes. It ties in with the Decent Homes Standard and health and safety requirements. The Council will be required to provide evidence that homes are maintained to the proper standard.
- The Transparency, Influence and Accountability Standard aims to improve the landlord/tenant relationship and create a culture of transparency and accountability. All Housing teams will need to demonstrate how policies translate into outcomes, how they listen and respond to the tenant voice and how they involve residents in service design.
- The Neighbourhood and Community Standard focuses on creating well-maintained neighbourhoods so tenants can feel safe in their homes.
- The Tenancy Standard sets out requirements for allocation, lettings, and tenancy management.

#### **Tenant Satisfaction Measures**

The Tenant Satisfaction Measures are part of the Transparency, Influence, and Accountability Standard. They are made up of 12 tenant perception measures from a survey and 10 operational measures. This board looked at the tenant perception measures together a few months ago and the information included in the operational measures is very similar to the information included in the Housing Dashboard at these meetings. These have all now been collected.

[Update on the day based on whether they have been published yet or not – but need to be published by the 30 June]

**Ian Williams Executive Working Group**

Earlier this year, in February, a temporary Executive Working Group on Social Housing Maintenance was created to investigate whether the amount of contact received by Councillors about maintenance and repairs was an indication of poor performance by both Waverley and its contractor.

The group comprised of:

- the Co-Portfolio Holders for Housing, Councillor Paul Rivers and Councillor Janet Crowe,
- the Chair of the Tenants Panel, Terry Daubney,
- and was supported by Officers within the Housing Service.

The group has met twice so far to review performance information and identify areas of concern. The group are due to meet with the Contract Manager from Ian Williams at the beginning of July to discuss this further. They will then report their findings to this Board and to the Executive.

### **Compensation**

At the meeting last month, information about the amount of money paid in compensation to tenants was requested. After investigating this, it was found that the amount of compensation given has increased significantly in the latest financial year to around £120,000. 78% (£98,000) of this was paying settlements in legal disrepair cases. In these cases the majority of the cost goes towards the tenants legal fees. Further investigation is needed to identify why these costs have increased so significantly, but it is suspected that this is due to an increase of cases caused by heightened public awareness after the governments 'make things right' campaign and several high profile news stories about poor performance from social landlords.

There are two ways in which the Service will seek to reduce this increase:

1. Improve repairs performance. There is an ongoing project to work with Ian Williams to improve their performance. This will prevent legal disrepair cases by ensuring that a greater proportion of repairs are completed to the agreed standard and within the agreed timescales.
2. Improve the complaints process. A new Housing Complaints Officer has been recruited and they will offer support to Housing Managers in responding to complaints which will improve the Service's complaints handling. By making the complaints process more effective, it is hoped that this will encourage tenants to use this as a route to 'make things right' rather than legal disrepair cases.

### **Waverley and Guildford Housing Together**

On the 13 June the staff Waverley's and Guildford's Housing Services met at a joint morning away day as the first step in finding ways in which the two services can support one another. It was a great day full of interesting and constructive discussions about the future of social housing and the role that Waverley and Guildford will play in this together. Some excellent

ideas were shared, and relationships were built between colleagues which will provide the foundations for future collaboration.

#### Recommendation

The Portfolio Holders and Board are asked to note and comment on the contents of this report.

Hugh Wagstaff

Head of Housing

20 June 2024

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