

Housing
Ombudsman
Service

ARHM - conference

Mike Biles - Housing Ombudsman

29 June 2011



communication

Demand :

2007 = 3206 complaints

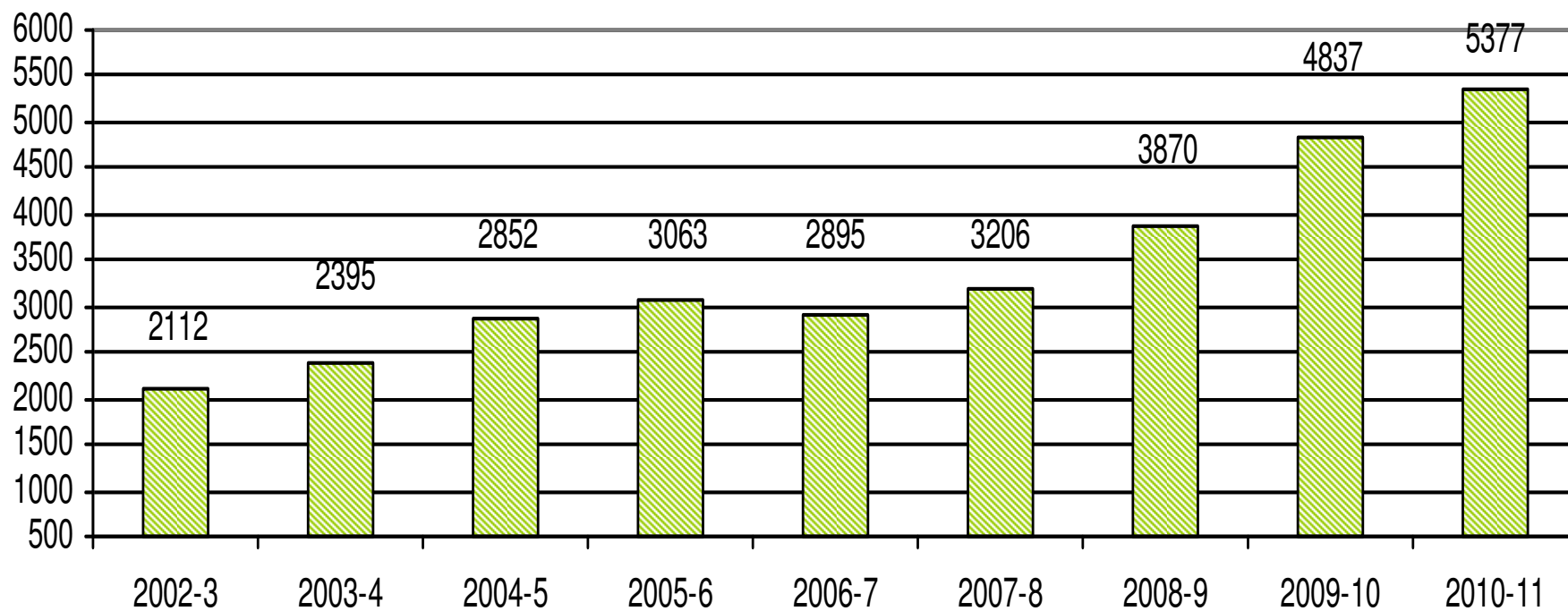
2008 = 3870 complaints
= 2884 enquiries

2009 = 4837 complaints
= 2841 enquiries

2010 = 5377 complaints (11% up cf 2009: 67% up cf 2007)
= 3266 enquiries (15% up cf 2009)



New complaints per year



■ Number of new complaints received



Performance statistics



Gateway:

2008 response to new complaints in 21 days = 98%

2009 response to new complaints in 15 days = 99%

2010 response to new complaints in 15 days = 99.5%

General enquiries:

2008 response in less than 3 days = 100%

2009 response in less than 3 days = 97%

2010 response in less than 3 days = 98.5%



Gateway 2010



- 5662 complaints closed (in gateway / outside jurisdiction)
- 20% increase on 2009
- 107% increase over last 3 years
- 62% closed after assistance to parties in ICP (cf 63% in 2009)
- 12% = out of jurisdiction (cf 20% in 2009)





Investigations:

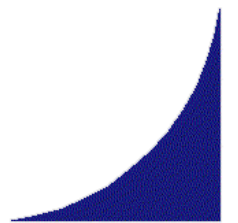
2005 average = 49 weeks

2007 average = 27 weeks

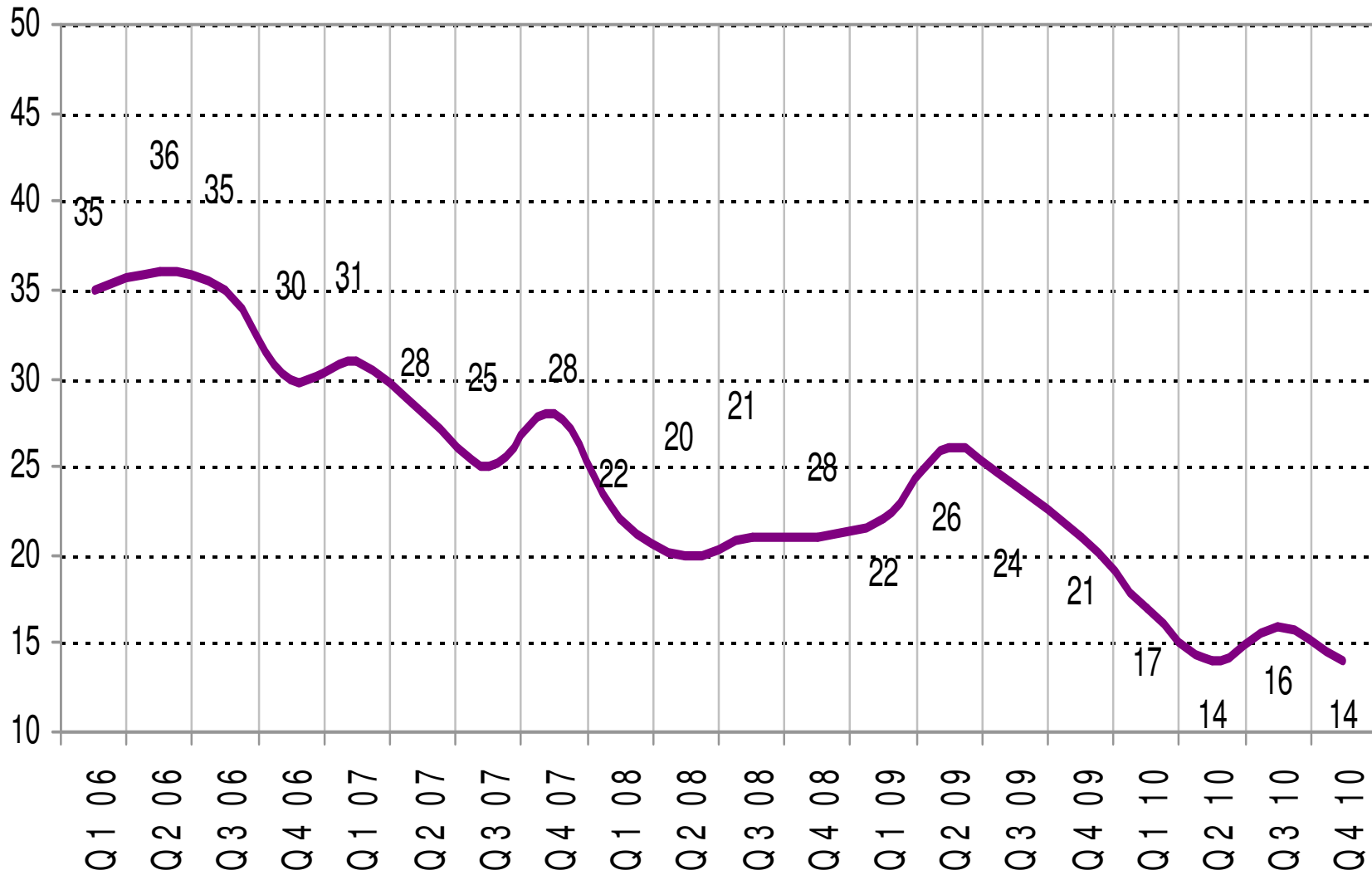
2008 average = 21 weeks

2009 average = 23 weeks

2010 average = 15 weeks



Target for 2010 = 20 weeks



Determinations:

2007 = 283

2008 = 398 (40% increase)

2009 = 458 (15% increase)

2010 = 559 (22% increase cf 2009: 98% cf 2007)





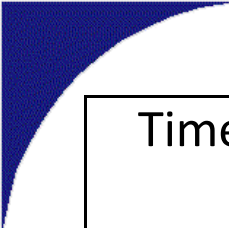
Investigations elapsed time:

2005 = 57% in 52 weeks

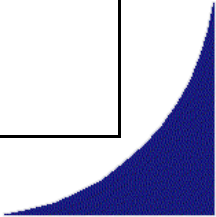
2009 = 0 investigations exceeded 52 weeks

2010 = 100% in 43 weeks

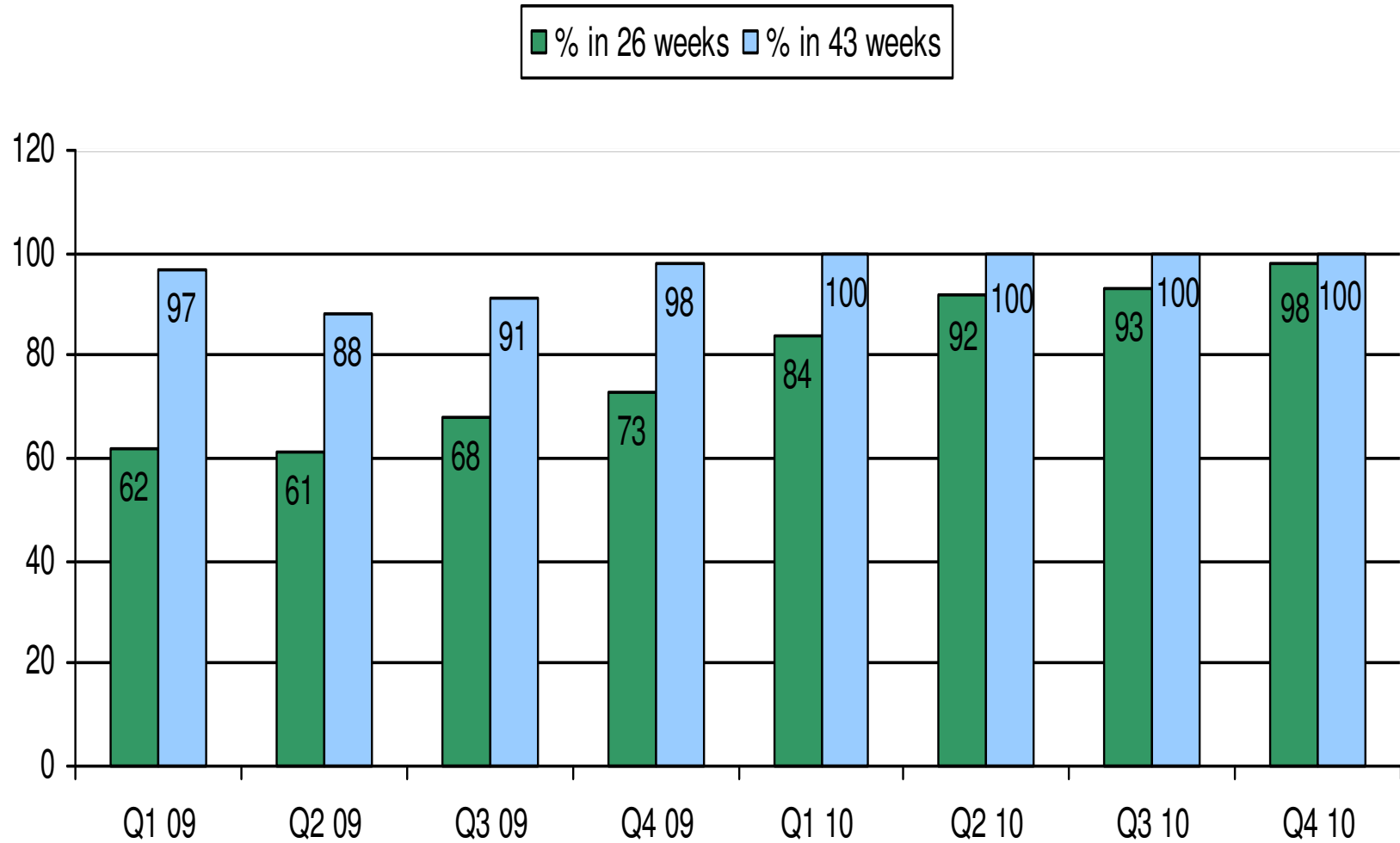




Timescale	2008-2009	2009-2010	2010-2011
Less than 3 months	30 %	23 %	56%
Between 3 – 6 months	42 %	45 %	36%
Between 6 – 10 months	25 %	27 %	8%
Between 10 – 12 months	3 %	5 %	0%



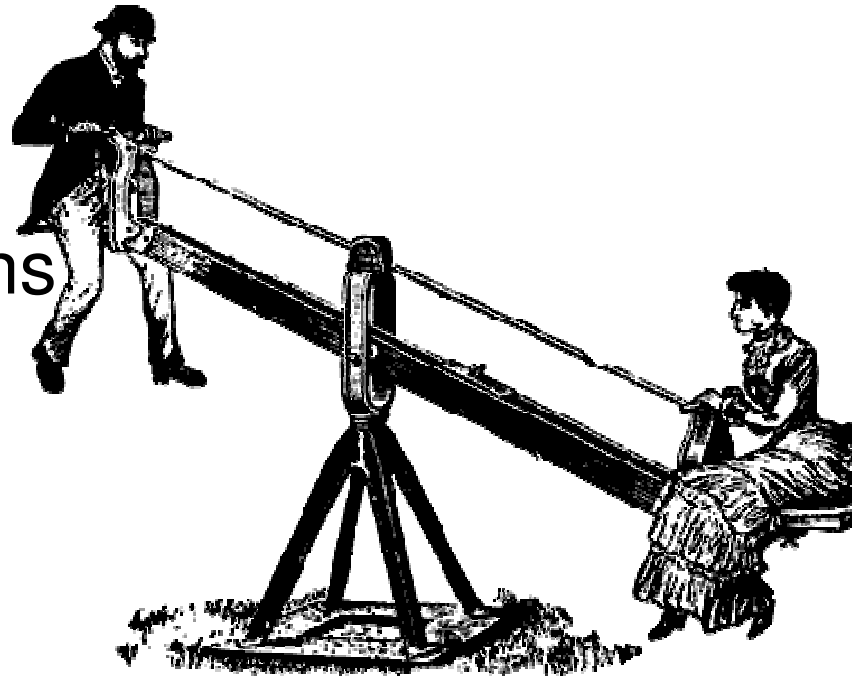
Percentage of investigations completed in 26 and 43 weeks



Ups and downs

Demand

Determinations



Response times

Investigation times

Customer care

- valuing the individual
- diversity
- emotional intelligence



“HOS delivers justice in the form of fair, balanced outcomes through an impartial and quality-controlled process and excellent customer care...getting the balance right between customer care and impartiality.”

Customer care – emotional intelligence and diversity

gathering evidence



social skills

self control
listening
empathy
diversity
help
support
courteous
friendly

analysing evidence

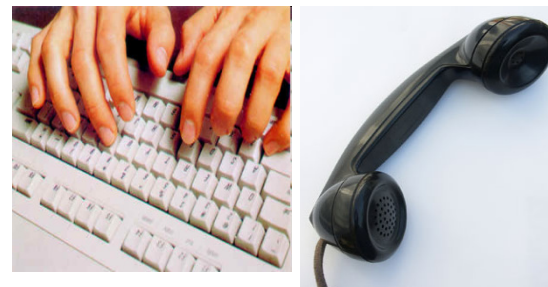


clinical (emotion free)

self-awareness
(prejudice / bias)

self-regulation
(personal feelings)

communicating decisions



social skills

self control
listening
empathy
diversity
help
support
courteous
friendly



change and transition


Public Bodies Bill	-	Oct 2010
Localism Bill	-	Nov 2010
Localism Act	-	Nov 2011
Entire social housing 'domain'	-	April 2013



Localism Bill 2010

Cl. 153(7A)

A complaint against a **social landlord** is not duly made to **a housing ombudsman** under **an approved scheme** unless it is made **in writing** to the ombudsman **by a designated person** by way of referral of a complaint made to the designated person.





“designated person” means:

(a) a member of the House of Commons

(b) member of the local housing authority for the district in which the property concerned is located, or


(c) a designated tenant panel for the social landlord





Cl. 153 (7B)

In paragraph 7A(2)(C) “designated tenant panel” means a group of tenants which is recognised by a social landlord for the purpose of referring complaints against the social landlord.






Enforcement of a HO's determinations

7C

The Secretary of State may by order make provision for, or in connection with, authorising a housing ombudsman under an approved scheme to apply to a court or tribunal for an order that a determination made by the ombudsman may be enforced as if it were an order of the court.





Housing Ombudsman



The
"democratic
filter"

MP

and
or

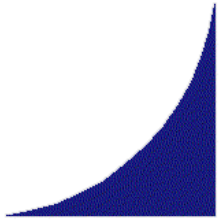
local
councillor


and
or

Tenant Panel




Tenant complains to landlord





Social landlords required to be member of approved scheme

- 1(1) A social landlord, **other than a LHA**, must be a member of an approved scheme covering **all his housing activities**.
- (1A) A social landlord which is a LHA must be a member of an approved scheme covering:
- (a) action which:
 - (i) is taken by or on behalf of the authority in its capacity as a registered provider of social housing, and
 - (ii) is action in connection with its housing activities so far as they relate to the **provision or management of social housing** (and here “social housing” has the same meaning as in Part 2 of the Housing and Regeneration Act 2008), and
 - (b) action taken by or on behalf of the authority in connection with the **management of dwellings owned by the authority and let on a long lease** (and here “long lease” has the meaning given by section 59(3) of the Landlord and Tenant Act 1987).
- 



Mission :



“impartial dispute resolution in rented housing”






MISSION

We shall work with landlords and tenants **impartially** to resolve disputes that come to us using processes that are **fair, evidence-based, free of bias** and **free of prejudice**.

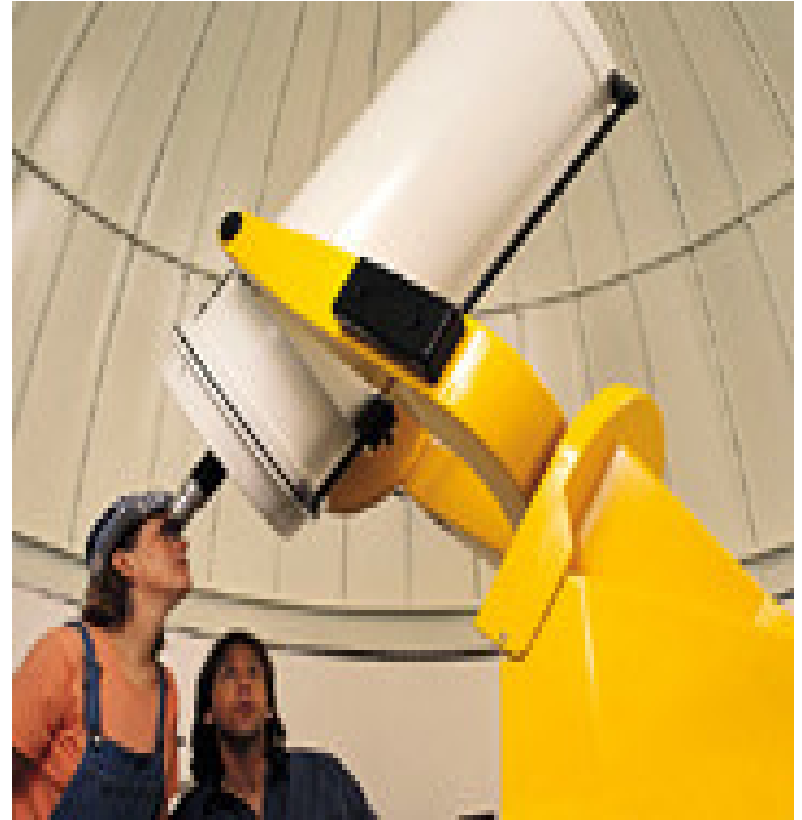
These **principles of DR** are the basis of our work with landlords, MPs, councillors and Tenant Panels to resolve disputes that come to them – and with Tenants so they understand these principles.

Together we will achieve accessible DR that will be of benefit to both landlords and tenants, and encourage landlords to use these outcomes to improve the services they provide.






Vision




“working with others to increase trust in dispute resolution and to improve landlord and tenant relations”






Vision - outcomes


- Tenants have increased trust in dispute resolution
 - Landlords have increased trust in dispute resolution.
 - Tenant and landlord relations are improved
 - Landlords have a positive view of complaints
 - Tenant panels are able to play their part
 - MPs are able to play their part
 - Councillors are able to play their part
 - Housing bodies engage in co-authoring
 - Tenant bodies engage in co-authoring
- 

Philosophy

- service
- quality
- not “hit and run” regulator
- conciliator / problem-solver
- outcomes - positive culture





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- independent
 - effective
 - efficient
 - fair
 - appropriate

- proportionate
 - transparent
 - ethical
 - consistent
 - respected
- 

What will be the role of the Housing Ombudsman ?

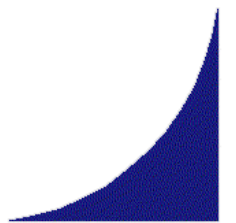


Housing
Ombudsman
Service

- 
- statutory Ombudsman
 - Secretary of State approved
 - not for profit
 - **independent**
 - impartial
 - free at point of use
- 



- access to justice not available in courts
- fair and reasonable in all the circumstances
- private
- no need for professional advice
- level the playing field





inquisitorial

“spirit of enquiry not combat”

“conciliation rather than victory”

“ferret out the facts”



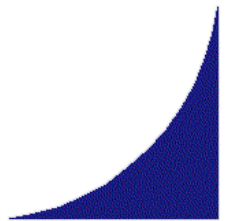
flexible – discretion

- process
- tailor procedure
- examine records
- interview witnesses
- use professional experts



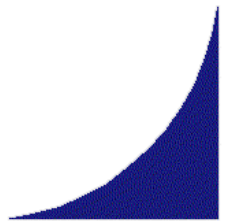




- publication of decided cases
- non-compliance is rare
- complainants remain anonymous
- accountable
- effective
- systemic issues

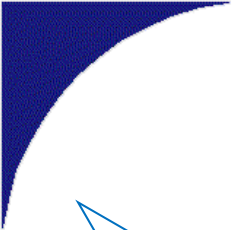





- ownership (of complaint)
- resident “trigger”
- more than a complaints dept.
- outcome wider than complaint




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- no appeal
 - no costs
 - appropriate remedy/ies
 - outcomes – added value (“key strength”)
 - information and guidance
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- specialist expertise
 - not bound by legal rules of evidence
 - no need for appearances
(provider/complainant)
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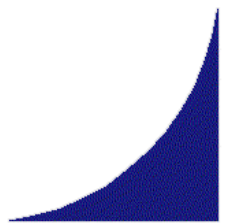


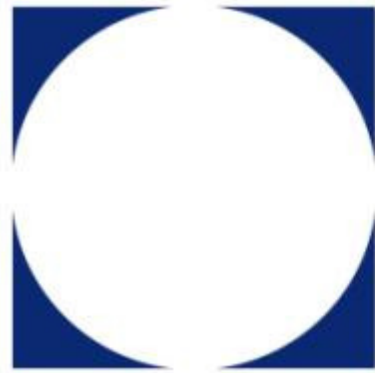
Next steps:

- role – clarity
 - governance
 - new terms of reference
 - new processes
 - internal structure / resources
- 



- DR principles
- learning delivery tools
- reward and recognition strategy
- forecasting and resource analysis





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