



**NORTHERN  
HOUSING  
CONSORTIUM**  
VOICE OF THE NORTH

☎ 0191 566 1000  
✉ [enquiries@northern-consortium.org.uk](mailto:enquiries@northern-consortium.org.uk)  
🌐 [northern-consortium.org.uk](http://northern-consortium.org.uk)  
📺 Northern Housing Consortium  
🐦 @NHC

# **NORTHERN HOUSING CONSORTIUM RESPONSE TO THE HOUSING OMBUDSMAN SERVICE**

**CONSULTATION ON CORPORATE PLAN 2022-25 AND BUSINESS  
PLAN 2022-23 OCTOBER 2021**

## About us

The Northern Housing Consortium (NHC) is a membership organisation based in the North of England. We are the 'Voice of the North' working with both local authorities and housing associations to advance the cause of housing. Our members own or manage more than 9 out of 10 socially rented homes in the North. The NHC brings its members together to share ideas, and to represent their interests and to ensure they are heard at a regional and national government level.

## Introduction

To compile this response, we have drawn on our extensive activities around tenant engagement.

The NHC regularly brings together tenants and landlords from across our membership for open and honest exchange of views and the information gathered at these events is used by landlords to improve their working practices.

This year, thirty social housing tenants across the North were brought together to form a [Social Housing Tenants Jury](#). The topic they were asked to debate was "How can tenants, social housing providers and others work together to tackle climate change in our homes and neighbourhoods?" Although the Jury focused on housing and net zero, the discussion over many sessions touched on:

- communication with tenants to ensure honesty and transparency when making changes to their homes
- ensuring high standards in the work carried out, and
- good collaboration across agencies.

Our response to the Business Plan reflects on the discussion and recommendations developed at meetings of the Jury, as well as other recent member and tenant engagement sessions.

Our detailed discussion with tenants on housing decarbonisation will be particularly relevant over the next few years as tenants' homes are decarbonised: this may be modest or significant disruption and there is scope for this to generate a level of dissatisfaction, despite efforts to consult and involve tenants.

## **Strategic Objective 1: Extending fairness**

Q. Do you agree with Strategic objective 1: Extending Fairness and the priorities?

**YES**

Comments:

We support the objective of residents and landlords being empowered to resolve complaints earlier and locally (Strategic Priority 1.1).

In talking to residents about how services are provided to them by their landlord there is a very clear acknowledgement that local resolutions play an important part building local trust between landlords and their tenants.

Our members acknowledge they too have an obligation to ensure that they provide the information that is relevant within a timely manner and that we all reply to the Housing Ombudsman Service within deadlines provided.

All member organisations can help by querying things quickly when requests are received to see if documents are needed, but the Housing Ombudsman could also help by chasing by phone or email if there is a particular document that's missing so that this evidence can be considered.

We are interested in the proposal for a 'third line of defence' Quality Board, which will include independent, external representatives (Strategic Priority 1.2).

The Social Housing Tenants' Jury concluded that decarbonisation of homes must be carried out to the highest standard and because retrofit could be very disruptive, tenants need to have clear and timely information about timescales and cost.

The tenants who took part in the Jury to saw the need for an independent person or body to be appointed to provide oversight to the work, to hold parties to account and to mediate any issues. This independent contact was envisaged as a point of contact for tenants, and we would be interested to see the terms of reference for the Quality Board and how it will function in relation to this request from tenants.

Q. Do you agree with the key activities in year one?

**YES**

Comments:

We support the activity of exploring support from others providing advice to residents - partnering with other organisations and resident-to-resident support whilst complaints are still within the landlord's process (key activity 1.1).

We have heard from residents of the difficulties and tensions in raising certain complaints, for example, in cases of anti-social behaviour. In cases where there is an understandable reluctance by residents to raise complaints for fear of reprisals some residents have reported that the complaints process is not satisfactory. The complaints process can be at its most bureaucratic and unhelpful where there are local tensions which involve others in the neighbourhood.

Our evidence shows the need for the most flexible range of opportunities for residents to get their voices heard so that it doesn't necessarily require people to come to formal meetings. Getting out to where different groups of residents live to reach them and gather views is important: as is working with other organisations who may find it easier to reach isolated or 'hard to reach' groups of residents.

This also helps to ensure a diverse range of voices are heard, for example finding innovative ways to involve young people, ethnic minority groups and

people of working age or with families who may find it difficult to attend tenant meetings.

### **Strategic Objective 2: Encouraging learning**

Q. Do you agree with Strategic objective 2: Encouraging Learning and the priorities?

**YES**

Comments:

We note the proposal for a facility that champions learning from complaints handling amongst social landlords to be called the 'Centre for Learning' (Strategic Priority 2.1).

We received some feedback from members about the importance of partnership working and the need for something on this scale. Other members stressed the importance of a proportionate response: they were concerned about the building of excessive process and structures when all that may be needed is a simple platform to share good practice.

We would be interested to see the progress of the Centre for Learning as it develops and how the establishment of forums based on region and landlord type enhances shared learning.

Q. Do you agree with the key activities in year one?

**YES**

### **Strategic Objective 3: Increasing openness**

Q. Do you agree with Strategic objective 3: Increasing Openness and the priorities?

**YES**

Comments:

Housing associations have demonstrated willingness to be more accountable and transparent, and we believe that the White Paper represents a natural progression of the work they have been doing.

We note the Ombudsman will act as the appeals service for the Access to Information Scheme and development of this will take place during the three years covered by the corporate plan (Strategic Priority 3.3).

We have already started consulting our members on the potential impact of the Access to Information Scheme, sharing learning from our local authority and ALMO members who are already subject to similar provisions. We will need to see how the Access to Information Scheme operates and ensure that it works effectively for the people who need it.

Q. Do you agree with the key activities in year one?

**YES**

Comments:

We welcome the Complaint Handling Code which should strengthen the Ombudsman's ability to resolve complaints, improve transparency for all and help individual landlords and the sector learn from landlords' experiences of handling complaints (key activities 3.1).

#### **Objective 4: Achieving Excellence**

Q. Do you agree with Strategic objective 4: Achieving Excellence and priorities?

**YES**

Comments:

We support enhancing the digital offer to allow greater access to services (Strategic Priority 4.2).

Our members have seen a great improvement already in sector engagement with the Housing Ombudsman, including more consultation on cases and regular meetings to discuss trends and ideas. With the additional resources provided we hope that this can continue and grow with many more partners so that this good work focusing on prevention of complaints escalation can spread throughout the sector more widely.

Q. Do you agree with the key activities in year one?

**YES**

Comments:

In continuing the 'digitisation journey' we are supportive of the service taking a proactive role in providing self-service options for residents and enabling access through a range of digital services including social media (key activities 4.2).

#### **Demand, measures of success and subscription fee**

Q. Do you support our strategic performance direction in our corporate plan?

**YES**

Comments:

We are aware that the Ombudsman's average determination rate for formal investigations in 2019-20 was below its six-month target and is 5.2 months entering the final year of the current plan. It is the first time that that target has been achieved, so it is positive news that the performance is better than it has been. Speeding up access to the Ombudsman by removing the democratic filter through the Building Safety Bill will be a welcome measure.

As the democratic filter is removed, we welcome efforts to build greater awareness amongst Members of Parliament, local councillors, and resident groups through specific communications and relationship building with

external stakeholders such as ourselves and the Local Government Association.

Q. Do you support the key performance measures for year one (2022-23)?

**YES**

### **Subscription fee**

Q. Do you agree a 30% year-on-year growth in demand is a reasonable assumption?

**NO**

Q. If not, what do you think this should be? Comments:

We agree that there will be growth rate across casework and, as we have stated earlier, ambitious programmes of improvement to existing homes – such as decarbonisation – will inevitably cause disruption which, if not handled sensitively and carefully, may generate additional volume of complaints. Through innovative engagement activity like the Social Housing Tenants' Jury, NHC members are working hard to minimise this risk.

Complaints are widely recognised as integral to the provision of quality services. Our members understand and recognise that reforms set out in the Charter will drive change throughout the social housing sector ensuring that everyone listens to residents and treats them with courtesy and respect.

Our members recognise the need for the service to be better resourced and understand the need for the fee to increase to deal with the increasing demand for services, but that this must be tempered with the ambition for landlords to resolve complaints earlier and locally.

We believe that landlords' own work to improve their complaint handling and housing services will continue at a pace.

Social landlords are investing in their local complaints services and have told us what they require from the Ombudsman is succinct guidance and focus on high impact areas to move forward with high quality redress systems.

We recognise that the Ombudsman's plans to improve the service, coupled with the rising volume of complaints, means that the costs of the service will rise. However, we would estimate a level of growth lower than 30% based on:

- The expected increase in performance and early resolution of local complaint handling schemes.
- The requirements set out in the Social Housing White Paper which are yet to be enacted as legislation is yet to proceed through Parliament.
- There is an unknown aspect for some anticipated changes, for example, the removal of the democratic filter in late 22-23/early 23-24 may increase

demand. It is equally possible that the filter did not actually reduce demand in the first place and, more likely, it just delayed the process unnecessarily.

- The on-going impacts of Covid-19 will abate but we agree that pressures around repairs in part due to building safety and net zero carbon programmes are likely to increase casework.

You will be aware from previous comments on the business plan that landlords with lower levels of complaints, or those more successful in resolving complaints locally, often feel that their subscriptions are being disproportionately used to resolve issues generated by other landlords who perform poorly. Within this context we received feedback on the fee structure with suggestions to amend the current flat rate:

- Feedback we have received said that a significant fee increase would seem disproportionate for landlords with low levels of complaints.
- Suggestions for change included a minimum subscription fee with a Pay As You Use add-on for those landlords whose activities generate a higher rate of use of the Ombudsman service - thereby good performance is incentivised.
- In addition to the consideration of an annual fee based partly on the caseload of complaints referred to and/or upheld by the Ombudsman, a further suggestion included that part, or all of the cost should come from government grant, reflecting the value Government places on tenant voice, and the value of the sector as community anchors.

We welcome the Ombudsman's commitment to continue to seek the sector's view on the exact fee for each year; and the commitment to revise assumptions if demand is lower than forecast.





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