

# **Housing**

Ombudsman Service

**Housing Ombudsman Service**  
**Quarterly report:**  
**Complaint Handling Failure Orders**  
**issued January to March 2023**

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## Introduction

The Housing Ombudsman Scheme and [Complaint Handling Code](#) set out clear expectations for landlords on handling housing complaints and includes the power to issue a Complaint Handling Failure Order.

With the Code becoming statutory in 2024, landlords will be expected to comply with the provisions of the Code and the Ombudsman will be assessing this as part of its mandated duty to monitor. This will include reviewing not only to what extent landlord's published approach is in line with the Code, but how this is being delivered.

The purpose of Complaint Handling Failure Orders is to ensure a landlord's complaint handling process is accessible, consistent and enables the timely progression of complaints. They also provide valuable insight into landlords' current complaint handling approaches by highlighting where there may be weaknesses in culture, policy, procedure or challenges relating to resource.

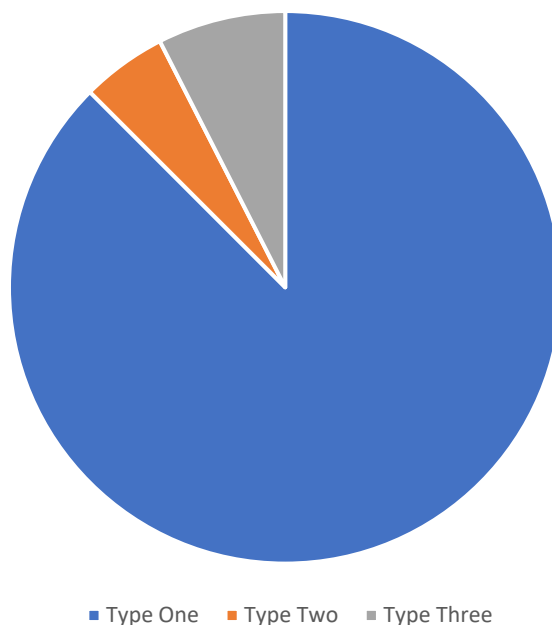
This refreshed and expanded report will provide better knowledge and information for the Member Responsible for Complaints and complaint teams within the social housing sector.

If you'd like to give us some feedback on this report, and how we could make it more useful, please [take this survey](#).

Find out more information about Complaint Handling Failure Orders, include guidance on the orders and the Code itself, [on our website](#). If you'd like help or guidance on how you can comply with the Code, we're now hosting monthly drop-in sessions. You can book onto our [July session](#).

## Complaint Handling Failure Orders issued January to March 2023

From January to March 2023, we issued 40 Complaint Handling Failure Orders for 32 landlords. The majority of those, 35, were Type One CHFOS, with two being Type 2 and three being Type 3. Of those, 12 were not complied with and further action was taken.



### Type 1 - Unreasonable delays in accepting or progressing a complaint

Date issued	Landlord	Case ref	Complied with?
05/01/2023	Your Housing Group Limited	202207446	Yes
09/01/2023	Dudley Metropolitan Borough Council	202204527	Yes
10/01/2023	Milton Keynes Council	202205494	Yes
16/01/2023	ForViva Group Limited	202208357	Yes
16/01/2023	Bromford Housing Group	202221327	Yes
16/01/2023	Hyde Housing Association	202221665	Yes
16/01/2023	<b>London Borough of Ealing</b> <i>As no correspondence was received from the landlord and a stage 1 response had been provided, the Ombudsman decided to accept the case for investigation without the final response.</i>	<b>202206459</b>	<b>No</b>

16/01/2023	<b>Barking and Dagenham Council</b> <i>As no correspondence was received from the landlord and a stage 1 response had been provided, the Ombudsman decided to accept the case for investigation without the final response.</i>	202218296	No
17/01/2023	<b>Royal Borough of Kensington and Chelsea</b> <i>As no correspondence was received from the landlord and a stage 1 response had been provided, the Ombudsman decided to accept the case for investigation without the final response.</i>	202215195	No
17/01/2023	<b>Clarion Housing Group</b> <i>The landlord provided updates on the complaint but did not comply with the timescales set in its internal complaints procedure or the Ombudsman's Code. The final response has been provided and the case is resolved.</i>	202125013	No
18/01/2023	Clarion Housing Group	202218268	Yes
18/01/2023	Rochdale Boroughwide Housing	202220108	Yes
18/01/2023	St Mungo Community Housing Association	202223855	Yes
18/01/2023	<b>My Space Housing Solutions</b> <i>As no correspondence was received from the landlord and a stage 1 response had been provided, the Ombudsman decided to accept the case for investigation without the final response.</i>	202220309	No
21/01/2023	GreenSquareAccord	202213955	Yes
24/01/2023	<b>Southern Housing Group</b> <i>The landlord provided updates on the complaint but did not comply with the timescales set in its internal complaints procedure or the Ombudsman's Code. The final response has been provided and the case is resolved.</i>	202216144	No
25/01/2023	Islington Council	202219769	Yes

26/01/2023	Sanctuary Housing Association	202222492	Yes
30/01/2023	A2Dominion Housing Group	202203135	Yes
31/01/2023	London Borough of Ealing	202212860	Yes
03/02/2023	A2Dominion Housing Group	202221502	Yes
<b>03/02/2023</b>	<b>London Borough of Haringey</b>  <i>The landlord provided updates on the complaint but did not comply with the timescales set in its internal complaints procedure or the Ombudsman's Code.</i>	<b>202222923</b>	<b>No</b>
07/02/2023	Waltham Forest Council	202209113	Yes
<b>08/02/2023</b>	<b>Aves Housing</b>  <i>The landlord did not comply with the timescales set in its internal complaints procedure or the Ombudsman's Code nor provide an update to the resident. Following the Order, the final response has been provided and the case is resolved.</i>	<b>202219745</b>	<b>No</b>
18/02/2023	Catalyst Housing	202125191	Yes
18/02/2023	London Borough of Croydon	202211965	Yes
18/02/2023	Newham Council	202220874	Yes
<b>18/02/2023</b>	<b>Salvation Army Housing Association</b>  <i>As no correspondence was received from the landlord and a stage 1 response had been provided, the Ombudsman decided to accept the case for investigation without the final response.</i>	<b>202205266</b>	<b>No</b>
<b>18/02/2023</b>	<b>Birmingham City Council</b>  <i>The landlord provided updates on the complaint but did not comply with the timescales set in its internal complaints procedure or the Ombudsman's Code.</i>	<b>202219688</b>	<b>No</b>
19/02/2023	Lewisham Council	202221403	Yes
<b>11/03/2023</b>	<b>Barking and Dagenham Council</b>  <i>As no correspondence was received from the landlord and a stage 1 response had been provided, the Ombudsman decided</i>	<b>202216711</b>	<b>No</b>

	<i>to accept the case for investigation without the final response.</i>		
15/03/2023	Catalyst Housing	202216365	Yes
19/03/2023	Orbit Group	202222627	Yes
21/03/2023	Orbit Group	202226906	Yes
28/03/2023	Swindon Borough Council	202218227	Yes

### Type 2 - Unreasonable delays in providing the Ombudsman information

Date issued	Landlord	Case ref	Complied with?
13/01/2023	Camden Council	202210749	Yes
24/01/2023	London Borough of Haringey	202120299	Yes

### Type 3 - Failure to comply with membership obligations

Date issued	Landlord	Case ref	Complied with?
<b>13/01/2023</b>	<b>Barking and Dagenham Council</b> <i>No complaints policy and hadn't conducted a Code self-assessment. There was also evidence of the same person investigating both stage one and two of a complaint.</i>	<b>202220622</b>	<b>No</b>
06/03/2023	West Herts Homes	202225978	Yes
28/03/2023	Reliance Social Housing CIC	202234195	Yes

## Key lessons

Looking beyond the statistics, there are key lessons landlords can take from the orders this quarter.

Firstly, the Ombudsman found a failure at some landlords to raise complaints or for a complaint to be recognised as such by frontline staff. This was compounded by delays in reviewing and progressing incoming emails.

Following on from this, the Ombudsman found responses to complaints were not coming back quickly enough – this was either because of delays in information being provided from operational teams or because of the time taken for repairs works to be completed. This delay in information echoes findings from our recent [Spotlight report into Knowledge and Information Management](#).

Where landlords did have a good reason for extending the time it needs to file a response, this was often not being communicated clearly or consistently. Often, the landlord said it was extending but not informing the resident as to why and doing so at the last minute, eroding trust with the resident.

Finally, another regular message the Ombudsman heard from complaints teams this quarter is about struggles with volumes. Social housing landlords must be confident they are resourcing teams appropriately, enabling staff to deal with not just the volume of cases but also the complexity of them too. Landlords should also reflect on whether its complaint handling model is suitable and effective.

## Intervention work

Before issuing a Complaint Handling Failure Orders, the Ombudsman is keen to work with landlords when an issue is raised to see if the organisation can comply with the Code before an order is needed.

In the last quarter, there have been a few examples of where the Ombudsman has helped in this regard. In one case a landlord had not published a Complaint Handling Code self-assessment and their complaints policy was overdue a review. Shortly afterwards, they had sent us over a self-assessment and an updated policy.

However, on reviewing these documents the Ombudsman had concerns that potentially the landlord was blocking access to the complaints process because of unreasonable behaviour, it was not publicising the Ombudsman or the Code, and it was not clear about the complaint-handling timescales. The Ombudsman also noted that the policy was not clear that learning from complaints would be shared with residents.

It rewrote the policy to reflect these changes and had a follow up meeting with us to go through any last changes. The Ombudsman then found the organisation compliant with the Code and it published these documents on its website.

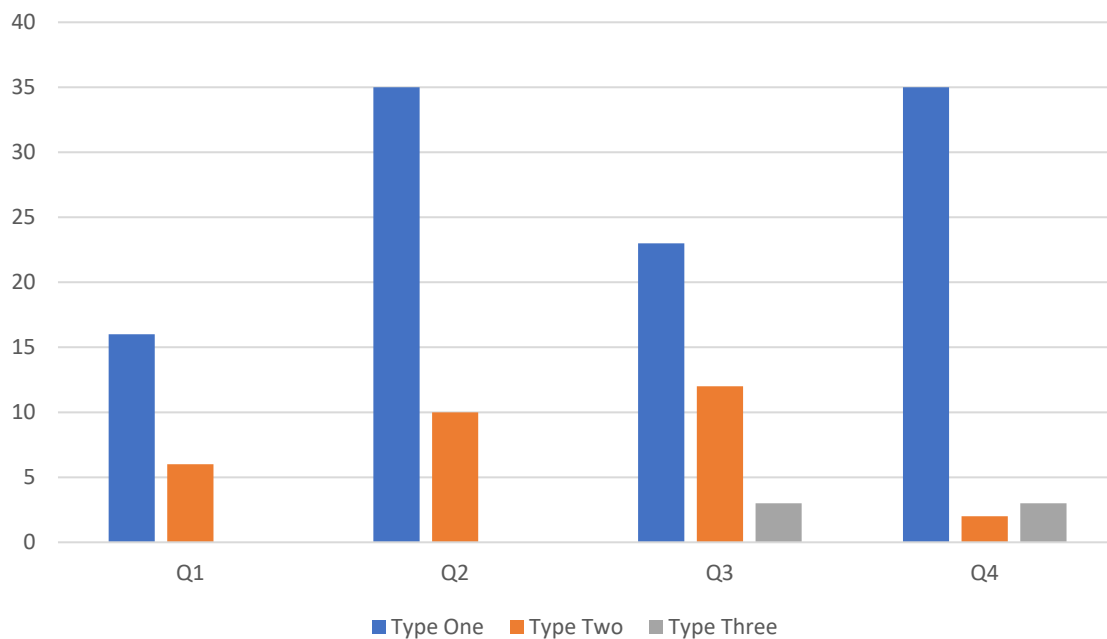


The Ombudsman has also been working with smaller housing associations, who often find it harder to comply with the Code due to size and structure. Often we see websites that are basic, a lack of dedicated resources for complaints and the upkeep of policies and procedures and a limited understanding of the Ombudsman.

For example, one smaller landlord is run by a residents board and therefore doesn't have the specialist knowledge or experience like a larger landlord does. And whilst we engage with these landlords to find solutions and understand the difficulties, ultimately there is a need for these landlords to still comply in the same way as others in the sector.

After one housing association received a notice from the Regulator of Social Housing, it led to a compliance check against the Code. Engagement throughout the process led to compliance and an ability to work with us to overcome barriers.

## Complaint Handling Failure Orders issued in 2022/23



77% compliance rate  
throughout 2022-23



The below table shows the top 18 landlords with the most Complaint Handling Failure Orders issued against them in the last financial year.

Landlord name	Number of CHFOs
A2Dominion Housing Group	9
London Borough of Haringey	7
Hyde Housing	6
Birmingham City Council	6
London Borough of Barking and Dagenham	5
London Borough of Lambeth	5
L&Q	5
London Borough of Southwark	5
Orbit Group	4
Wandle Housing Association	4
Swindon Borough Council	4
Peabody (including Catalyst)	4
Ealing Council	4
Clarion Housing	3
Notting Hill Genesis	3
Croydon Council	3
Sheffield City Council	3
Lewisham Council	3

**Housing**  
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