

# Cold comfort

## Spotlight on complaints about heating, hot water and energy in social housing



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# AGENDA



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# Housing Ombudsman Service – our role

- ▶ All social landlords in England must be members of the 'Housing Ombudsman Scheme'
  - ▶ 2,229 social landlords (325 LAs), plus 73 voluntary private landlords, covering 4.7m households
- ▶ Our Vision: *Improving residents' lives and landlords' services through housing complaints*
- ▶ Dual role:
  - ▶ to resolve disputes
  - ▶ to support effective dispute resolution
- ▶ We promote learning from complaints and can carry out wider investigations into systemic issues

# Background to the report

- ▶ Third in series of thematic reports highlighting issues arising from the complaints we investigate
- ▶ Why look at heating & hot water?
  - ▶ high impact on residents – particularly in winter
  - ▶ high impact on vulnerable households and other groups
  - ▶ risk to health & safety: gas safety, cold homes
- ▶ Timely report:
  - ▶ Government energy plans and zero-carbon target (2050) will require huge change to how homes & water are heated
  - ▶ plans to review the Decent Homes Standard
- ▶ The Ombudsman has a unique perspective and can highlight problems, but also good practice and innovations

# Key findings from the data

- ▶ Report based on 211 complaints investigated between April 2019 and September 2020
- ▶ We make 40 best practice recommendations and include 10 case studies highlighting residents' experiences
- ▶ We found maladministration in 31% (66) of all complaints – increasing to 60% for cases involving heat networks
  - ▶ 'severe maladministration' in one case and maladministration for poor complaint-handling in 60% of cases
- ▶ We made 158 orders to put something right, including 108 to pay compensation - totalling over £58k
- ▶ In 58 cases (27%) the resident had to make a formal complaint to get the matter resolved by the landlord

# Heating and hot water: findings

- ▶ Recurring cause of complaint: delays; missed appointments; failure to get it 'right first time'
  - ▶ *Ms L* – household without reliable heating and hot water for eight months
- ▶ High impact in winter months and on vulnerable households or those with young children
  - ▶ *Mr F* – five weeks to repair 89-year-old's boiler
- ▶ Failures in compliant handling and keeping residents updated – often aggravated by poor record-keeping
- ▶ Lack of communication and consultation about changes
  - ▶ *Ms D* – lack of consultation over changes at retirement scheme

# Heating and hot water: recommendations

- ▶ Landlords should act promptly, taking account of impact on resident
- ▶ Focus on 'right first time'
- ▶ Review missed appointments and any poor repair work to consider how performance can be improved in future
- ▶ Offer temporary practical help e.g. electric heaters; bottled water etc.
- ▶ Ensure contracts are robust and performance is monitored. Consider including break clauses, penalties and customer satisfaction KPIs
- ▶ Provide clear information at start of the tenancy/lease e.g. how to use thermostat and avoid condensation. Plus advice on the support available, such as CAB welfare advice
- ▶ Ensure record-keeping is robust. Retain and have access to all tenancy agreements and leases

# Heat networks: findings

- ▶ A growing number of homes are connected to heat networks (or 'district heating') – a potential source of low-carbon heating
- ▶ *Benefits:* may reduce bills and the need for repairs/inspections
- ▶ *Problems:* inability to switch providers; lack of control over third-party providers and bills; faults can affect many homes
- ▶ Examples of poor information prior to letting; poor communication and record-keeping
- ▶ Residents can be unclear over who regulates the heat provider and who deals with complaints
- ▶ Some weak long-term contracts with ineffective monitoring
  - ▶ *Ms E* - landlord tied to 20-year agreement with no penalties
- ▶ 70% of the heat network complaints we investigated involved London boroughs – and 50% were from leaseholders



# Heat networks: recommendations

- ▶ Provide clear information about the heating arrangements and costs before the start of the tenancy/lease and if these change
- ▶ Clear information about whether resident can disconnect from the network and change provider. If the landlord's consent is required, it should exercise its discretion fairly and give reasons
- ▶ Ensure that timely and clear heating bills are provided
- ▶ Have contingency plans in place for interruptions in supply
- ▶ Have robust long-term investment strategies for the maintenance and potentially the replacement of the system
- ▶ Ensure contracts with providers and maintenance companies are robust. Consider including break clauses and penalties in contracts and take action to enforce the contract if necessary
- ▶ Record-keeping: retain relevant (including historic) documentation
- ▶ Ensure residents know how to complain and are signposted to the appropriate Ombudsman

# Gas safety: findings

- ▶ Vital health & safety issue – can pose risk to other homes
- ▶ The most common causes of complaints were:
  - ▶ unsafe boilers or heaters disconnected with no clear explanation or timescale for repair
  - ▶ poor communication when arranging annual gas safety check and missed appointments (*see Ms M case*)
  - ▶ poor record-keeping, including inaccurate or unclear safety certificates
- ▶ Challenges for landlords during pandemic
- ▶ Leaseholders are responsible for gas safety in their own properties. This creates a potential risk – particularly where a leaseholder sub-lets the property

# Gas safety: recommendations

- ▶ Provide clear information at the start of the tenancy/lease about gas supply, what to do in an emergency and the importance of providing access for inspections
- ▶ Give sufficient notice of annual safety inspection and offer appointment at a convenient time
- ▶ Ensure engineers are registered and carry Gas Safe ID cards
- ▶ Monitor contractors' performance, including missed appointments
- ▶ Legal action or injunctions to gain access should only be used when essential as a last resort
- ▶ Record-keeping: retain safety certificates, which must be legible and signed. There should be an audit-trail of all actions
- ▶ Provide a clear explanation for any disconnection; a timescale for repair; and alternative arrangements for heating and hot water

# Energy efficiency and innovation: findings

- ▶ Social landlords have a key role to play in improving the energy efficiency of their stock
- ▶ Energy efficiency measures help residents to reduce consumption and avoid problems such as condensation
- ▶ New technology, such as smart meters and smart appliances, increase residents' control of their energy and bills
- ▶ We have seen landlords using innovations such as:
  - ▶ smart thermostats that enable landlords to monitor energy use and maximise efficiency
  - ▶ sensors to monitor temperature, light, motion, humidity etc. This data is used to optimise heat settings remotely
  - ▶ remote early warning systems for common problems,
  - ▶ video calls to residents and 'augmented reality' video

# Energy efficiency and innovation: recommendations

- ▶ Landlords should keep abreast of developments in Government policy and ensure they have robust energy plans
- ▶ Assess the new technologies and innovations available and network with social landlords and others to explore these options
- ▶ Consult and involve residents before introducing new systems, and clearly explain how any new devices or applications work
- ▶ Make sure they are aware of the initiatives and grants available to improve the energy efficiency of their stock
- ▶ Signpost residents to help if they are struggling to pay fuel bills or want advice on improving the energy efficiency of their homes

# Complaint handling: findings

- ▶ Found maladministration for poor complaint handling in 60% of cases – compounding residents' dissatisfaction
- ▶ Also found in our previous thematic reports
- ▶ The most common problems were:
  - ▶ delays in complaint responses
  - ▶ complaints not progressed from one stage to the next
  - ▶ poor communication or record-keeping
  - ▶ landlords not following their own complaint procedures
- ▶ Expectation (and requirement) that landlords follow the Ombudsman's recent 'Complaint Handling Code'

# Complaint handling: recommendations

- ▶ The complaints policy and procedure should be in line with the Ombudsman's Complaint Handling Code
- ▶ Provide clear information to residents on how to raise a complaint
- ▶ Provide clear, comprehensive responses at each stage and adhere to timescales - or update resident if more time is required
- ▶ Contact the resident at an early stage to clarify the complaint and the outcome sought, and keep the resident regularly updated
- ▶ Learning: have systems for reviewing complaints, capturing learning and sharing it between teams and with contractors. Share learning with the complainant and with residents more widely

# Key questions for landlords

## Key questions include:

- ▶ How often do you get it 'right first time' and if not, why not?
- ▶ Do you understand reasons for delays and missed appointments?
- ▶ Do you have robust contracts and contract management?'
- ▶ When did you last review lettings info and other info around heating & hot water?
- ▶ Are there contingency plans for vulnerable residents or whole blocks without heating or hot water?
- ▶ Is there a culture of learning from complaints? Has this report been discussed at senior level – including boards & committees?



# Further resources

Housing Ombudsman website including:

- ▶ 'Cold comfort' report with feedback survey
- ▶ 'Complaint Handling Code' and FAQs
- ▶ e-newsletter
- ▶ Now publishing our investigation reports
- ▶ Range of resources for landlords and residents

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