

Select Committee	Housing Select Committee		
Report Title	The Localism Act 2011 – complaints about social housing		
Wards	All	Item No.	4
Contributors	Corporate Complaints Manager		
Class	Open	Date	6 th March 2013

1. Summary and Purpose of this report

- 1.1 The Localism Act has introduced changes to the way complaints against a social landlord are handled. The purpose of this report is to provide an overview of the changes to the way that social housing complaints will be dealt with, whilst highlighting the impact the changes will have on the Council. The report will provide details of the draft Housing Ombudsman Scheme, key areas of interest for the Council and confirm the approach the Council is currently considering in implementing the required changes. This will ensure the complaints process remains clear, timely and transparent to ensure complaints are handled in the most effective and efficient way.
- 1.2 Currently, the Local Government Ombudsman (LGO) deals with all social housing complaints including Arm's Length Management Organisations (ALMO's). However, from 1 April 2013, the responsibility of dealing with complaints about social landlords will fall under the jurisdiction of the Housing Ombudsman Service. The Housing Ombudsman Service already deals with complaints about other Registered Social Landlords.
- 1.3 The Localism Act 2011 introduces, changes to the way complaints against social landlords are handled prior to referral to the Housing Ombudsman Service. The referral to the Housing Ombudsman (HO) must now be through a 'designated person' (DP) in writing, once the landlords existing complaints procedure has been exhausted. A designated person can be a Member of Parliament, a local councillor or a Tenant Panel. The HO has produced a series of frequently asked questions (FAQs) available on their webpage <http://www.housing-ombudsman.org.uk/>. See **Appendix 1** for further information on the role of the DP.
- 1.4 In order to manage this process efficiently it is proposed that the Chair of Housing Select Committee will undertake the role of the designated person. In addition, two other members of the Housing select Committee will need to be appointed to ensure that this role can continue, in the Chairs absence or if there is a conflict of interest regarding a particular complaint.
- 1.5 All other housing complaints, for example complaints about homelessness issues, allocation policy etc. will continue to be dealt with by the internal complaints process and if the complainant remains dissatisfied, they are advised to approach the Local Government Ombudsman as is currently the case.

2. Policy Context

- 2.1 The Secretary of State under section 51 of and Schedule 2 to the Housing Act 1996 approves the Housing Ombudsman Scheme. The Act requires social landlords, as defined by s.51(2) of the Act, to be members of an approved scheme.
- 2.2 Paragraph 7A of Schedule 2 of the Housing Act 1996 (inserted by the Localism Act 2011) outlines the new process for referring complaints against a social landlord to the HO. It confirms that, "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."
- 2.3 Lewisham's Sustainable Community Strategy 2008-2020 contains the shared priorities for the borough. It sets out a framework for improving the quality of life and life chances for all who live in the borough. This approach works towards meeting the 'empowered and responsible' priority where people are actively involved in their local area and contribute to supportive communities.
- 2.4 The Council has outlined ten corporate priorities, which enables the delivery of the Sustainable Community strategy. The introduction of the Housing Ombudsman's Scheme meets the corporate priority of community leadership and empowerment'.

3. Recommendations

Members are recommended to:

- 3.1 note the contents of the report.
- 3.2 agree that the Housing Ombudsman's changes should be implemented by the Council in the way proposed in section 7.
- 3.3 agree that Chair of Housing Select committee is appointed as the designated person.
- 3.4 agree that in the absence of the chair or if a conflict of interest arises in the consideration of a complaint, two additional members of the Housing select Committee be appointed to deputise as required in the role of the designated person.

4. Housing Ombudsman Scheme

- 4.1 On 1st April 2013 the new process for complaints handling, as outlined in the Localism Act 2011, will come into effect, which will bring all social landlords under the jurisdiction of the Housing Ombudsman (HO). It is anticipated that this will provide a consistent approach in the handling of complaints for residents whether their landlord is a council or housing association.

This will also include complaints from leaseholders of social landlords and the Council's managing agents; for example, Lewisham Homes and Regenter B3. However, complaints from leaseholders disputing their service charges will not be considered under this process but will instead be considered by a Leasehold Valuation Tribunal (LVT) as is currently the case.

- 4.2 The financing of the Scheme will be through a subscription payable to the HO by each member with the subscription calculated by reference to the total number of units of accommodation owned or managed by a member. Although for local housing authorities, this subscription will be met by grant-in-aid from the Secretary of State.
- 4.3 The main purpose of the Housing Ombudsman Scheme is to enable tenants and other individuals to have complaints about members of the scheme investigated by a Housing Ombudsman. The Scheme comes into effect on 1st April 2013 and replaces the Independent Housing Ombudsman Scheme (HOS).
- 4.4 The intent is that the Housing Ombudsman Scheme should add value to the complaints process with a focus on resolving complaints at a local level wherever possible. The HO's approach will be outcome focussed and may consider wider issues than those raised by the complainant. In order to ensure that localism is at the centre of the process, the HO may refer cases back to the 'designated person' for resolution. The draft HOS also proposes introducing a finding of service failure to reflect a lower level of maladministration, which again emphasises the push towards resolving disputes locally and changing service delivery where necessary.

Designated Person

- 4.5 The Localism Act 2011 states that tenants of housing associations, local authorities, and ALMO's will be able to ask for their complaints to be considered by a 'designated person' (DP) once the complainant has exhausted their landlord's internal complaints procedure. By introducing the role of the DP the intention is to involve local politicians and local people in resolving local housing issues.
- 4.6 A DP can be an MP, a local Councillor, or a Tenant Panel. Landlords do not have to set up tenant panels but they are expected to support their formation and activities if their tenants want them. To be effective, the tenant panel must be 'recognised' by the landlord. The contact details of all recognised Tenant panels must be forwarded to the HO who will include this information on their national register of recognised Tenant Panels.
- 4.7 Although the Housing Ombudsman (HO) can advise DPs on good practice in complaint handling, the HO has no jurisdiction over DPs and has no authority to regulate or produce guidance for their selection, activity or conduct.

- 4.8 A DP does not have power over an organisation's policies and procedures, although they may suggest ways they could be improved. A DP would not be expected to make a formal judgement about the merits of a complaint, but if they do, their judgement would not be binding. They are not a tribunal, they do not carry out the role of the Ombudsman and they are not an additional bureaucratic stage in a complaints procedure. Their role is to facilitate resolution of tenant complaints, which may involve them providing advice to tenants; advocating on their behalf; discussing matters with the landlord.

5. Current Process

- 5.1 The Council currently has a robust complaints process in place, which is auditable at each stage. Our internal auditor has formally recognised that the Council has in place, a comprehensive process for managing complaints and procedures that are consistently improved. Lewisham Homes and Regenter B3 have adopted the Council's three-stage complaints process.

- 5.2 As defined by the Localism Act, the internal complaints process is transparent and accessible and is available on the Council's website detailing the various stages:

Stage 1: The service manager will investigate and send a response within 10 working days.

Stage 2: If the complainant is unhappy with the response that they received at stage 1, they can ask for a review of their complaint. The head of the service will write to them within 20 working days with their decision.

Stage 3: If the complainant remains unhappy with the response that they received at stage 2, they can ask the independent adjudicator to carry out an review of their complaint. The Independent Adjudicator will send a response within 30 working days.

5.3 The role of the Independent Adjudicator

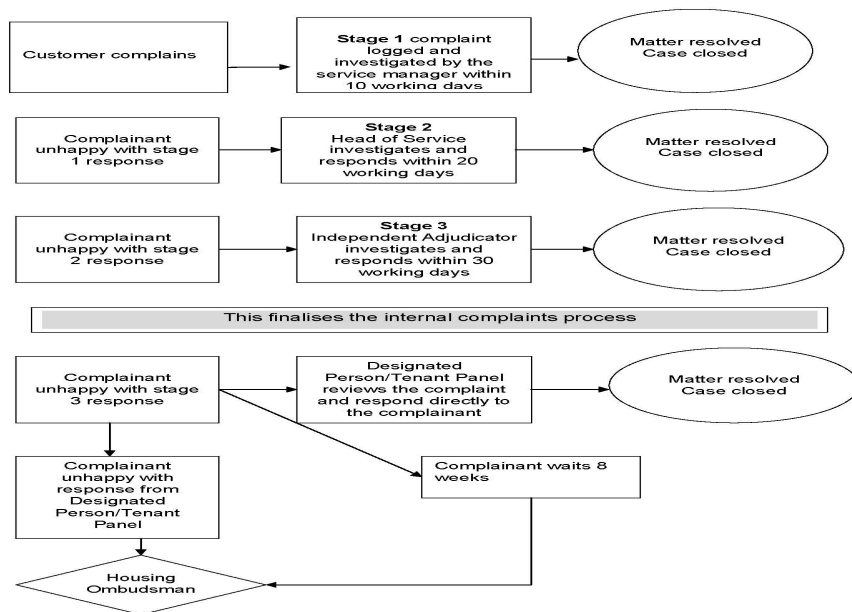
The Independent Adjudicator (IA) deals with complaints at stage three of the Council's complaints process and provides a free, independent and impartial service. The IA considers complaints about the administrative actions of the Council and its partners, for example, Lewisham Homes and Regenter B3. She cannot question what actions these organisations have taken simply because someone does not agree with it. However, if she finds something has gone wrong, such as poor service, service failure, delay or bad advice and that a person has suffered as a result, the IA aims to get it put right by recommending a suitable remedy.

- 5.4 Under the current process, if the complainant remains unhappy after exhausting the Council's complaints process they can approach the Local Government Ombudsman.

6. New Process

6.1 Should a complainant exhaust the Council's (Lewisham Homes or Regenter B3's) complaints process, instead of approaching the Local Government Ombudsman directly, the complainant must now approach a DP. The response for the final stage of the internal complaints process for Lewisham Homes and Regenter B3, will clearly advise the complainant of the next steps and signpost them to the DP. Alternatively, the complainant can just wait 8 weeks, then approach the Housing Ombudsman directly. It is envisaged that the other housing providers in the borough will do the same. For tenants of the other registered social landlords (RSL's), they will be guided by their RSL's complaints procedures. The DP will review their case and if appropriate, refer it to the Housing Ombudsman.

6.2 See below for a process map of how this will work.



7. Implications for Members

7.1 Following liaison with other local authorities and RSLs (detailed in paragraph 8 below) it is recommended that the Council implement the Housing Ombudsman Scheme by introducing members as the Council's designated person. As it stands this will mean that any member may be called upon to review a complainant's case as a designated person (DP). In order to manage this process efficiently it is proposed that the Chair of Housing Select Committee will undertake this role. In addition, two other members of the Housing select Committee will need to be appointed to ensure that this role can continue, in their absence or if there is a conflict of interest.

Expectation and role of the designated person (DP)

- 7.2 Upon a request, a member acting as a DP will consider a complaint and should seek some form of dispute resolution between the different parties. The DP will then decide whether to refer the complaint to the HO or not. If the DP refers a case to the HO it must be in writing.
- 7.3 The Localism Act does not require the DP to actually investigate the complaint but to merely read through the various complaint stages. Their role is to provide fresh and independent insight on the complaints, from a tenant, councillor or MP perspective – playing a critical friend role suggesting views and approaches that may not have been considered by the landlord and others in handling the complaint. However, should they so wish, it will be perfectly acceptable for the DP to simply forward the complaint on to the Ombudsman, having received consent to do so from the complainant, in writing. Similarly, there is no formal timescale in which the DP must deal with the matter, but if the matter takes longer than eight weeks to conclude the complainant will be entitled to refer the matter direct to the Housing Ombudsman.
- 7.4 The DP has the powers of persuasion, negotiation and conciliation. They do not have any formal ‘powers’ other than the right to refer complaints to the Ombudsman once the landlord complaints procedure has been exhausted. Complaints can be referred to the Housing Ombudsman at any time once the landlord’s internal procedures have been exhausted.
- 7.5 Current figures of such cases across the top 9 housing providers in Lewisham reaching stage 3 of the complaints process showed that only a third were referred to the Ombudsman. Accordingly, it is not considered that the DP will have to deal with high volumes of cases. Figures are likely to be in the region of 20 cases a year. (see **Appendix 3**)
- 7.6 The Corporate Complaints Team in the Council will support the DP role and will provide administrative support including preparing each case file and outcome letter. The Corporate Complaints Team will review the process in September 2013 and make recommendations back to the Housing Select Committee if changes to the scheme are appropriate.

8. Comparisons between the Registered Social Landlords within Lewisham and other Local Authorities

- 8.1 The Council has liaised with the ‘top 9’ housing providers within the borough of Lewisham. Views were sought and comparisons made on how each one intended to implement the changes and in particular if they intended to introduce a Tenant Panel. The consensus is that they do not intend to set up a Tenant Panel as a DP, as there was a lack of interest for this approach from their residents.

- 8.2 The ability for the resident to approach their MP and Councillor appears to be the preferred option.
- 8.3 Comparisons were also made with some of the other London Boroughs, Southwark, Greenwich, Hackney and Islington have all confirmed they are not planning to set up a tenant panel. Others such as Lambeth and Camden are still deciding on the most effective way to implement these changes.
- 8.4 Further comprehensive details relating to the comparisons between the RSL's and Local authorities can be found in **Appendix 2**.
- 8.5 Both Lewisham Homes and Regenter have consulted with their residents and/or Board members to ascertain whether they would be interested in their organisations having a Tenant Panel. Feedback from these discussions have concluded that Tenant Panel will not be set up in their organisations, at this time. This will be reviewed following the changes being implemented on the 1st April 2013.

9 Comparison of complaints from the Registered Social Landlords

- 9.1 The Council liaised with the 'top 9' housing providers in the borough to pre-empt the volume of cases that could potentially be referred to the DP.
- 9.2 On analysing the information received, the volume of complaints received at the final stage of the complaints process is relatively low. Furthermore, the volume of cases that were referred to the Ombudsman was minimal.
- 9.3 Further information relating to the volume of stage 3 complaints and subsequent referrals to the Ombudsman from the 'top 9' housing providers can be found in **Appendix 3** and a comprehensive list of housing providers in the borough can be found in **Appendix 4**.
- 9.4 In order to ensure consistency, meetings will be held with all the housing providers in the borough, to brief them on the new proposals.

10. Financial Implications

- 10.1 There are no direct financial implications arising from this report.

11 Legal Implications

- 11.1 The Housing Ombudsman Scheme is an approved national scheme, pursuant to s.51 of and Schedule 2 to the Housing Act 1996, as amended by section 180 of Part 6 to the Localism Act 2011. The national Scheme will come into effect on 1st April 2013.
- 11.2 The Council, as a Local Housing Authority in England (being a registered provider of social housing) is a "social landlord" (s. 51(2) of and Schedule 2 to the Housing Act 1996) and therefore must be a member of the Housing Ombudsman Scheme in connection with:

1. our housing activities, re: provision or management of social housing; and
 2. the management of dwellings which the Council owns and lets on any long leases.
- 11.3 As a condition of membership of the Scheme, a member must:
- Agree to be bound by the Scheme
 - Establish and maintain a complaints procedure
 - As part of that complaints procedure, inform complainants of their right to bring complaints to the Housing Ombudsman under the Scheme and
 - Publish its complaints procedure and its membership of the Scheme, and make information about them available to those entitled to complain to the Housing Ombudsman.
- 11.4 Under the Scheme, “a Complaint against a social landlord is not “duly made” to a housing ombudsman ...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”. (para 7A(1)). Complaints must be referred by a designated person unless any of the specific exceptions set out within paragraph 7B applies. See numbered paragraph 11.7 below for the exceptions.
- 11.5 A designated person under the scheme means:
- a) member of the House of Commons;
 - b) a member of the local housing authority for the district in which the property concerned is located; or
 - c) a designated tenants panel for the social landlord.
- 11.6 The published draft Housing Ombudsman Scheme states that “A designated person will help resolve the complaint in one of two ways; they can try and resolve the complaint themselves or they can refer the complaint straight to the Ombudsman.
- 11.7 Complaints that do not need to be made by way of referral by a designated person are those, which meet any of the exceptions specified within para. 7B(1) or 7B(2), as follows:-
- 7B(1) paragraph 7A(1) does not apply in relation to a complaint against a social landlord made to a housing association under an approved scheme if the ombudsman is satisfied that –
 - (a) the social landlord has procedures for considering complaints against the social landlord,
 - (b) the matter that forms the subject of the complaint has been submitted to those procedures,
 - © those procedures have been exhausted, and
 - (d) the complaint has been made to the ombudsman after the end of the eight weeks beginning with the day on which those procedures were exhausted.

- 7B(2) Paragraph 7A(1) does not apply in relation to a complaint against a social landlord made to a housing ombudsman under an approved scheme if-
 - (a) the ombudsman is satisfied that a designated person –
 - (i) has refused to refer the complaint to a housing ombudsman under an approved scheme, or
 - (ii) has agreed to the complaint being made otherwise than by way of a referral by a designated person
 - And
 - (b) the refusal, or agreement, is in writing or the ombudsman is satisfied that it has been confirmed in writing.”

11.8. Decisions of the Ombudsman may become enforceable as if they were orders of the Court, pursuant to anticipated secondary legislation.

12 Equalities Implications

12.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

12.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

12.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

12.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value.

The statutory code and the technical guidance can be found at:
<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

12.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

12.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice.

Further information and resources are available at:
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

13. Environmental Implications

13.1 There are no environmental implications.

14. Conclusion

14.1 It is proposed that the contents of this report are noted.

15 Background documents and originator

15.1 The Housing Ombudsman Scheme provides further background information pertaining to these changes.

15.2 If you require more information on this report please contact Jennifer Greaux, Corporate Complaints Manager on 0208 314 6340.

Appendix 1



DESIGNATED PERSONS – DECEMBER 2012

A new role for MPs, Councillors, and Tenant Panels in resolving complaints

What is a designated person?

The Localism Act 2011 provides that tenants of housing associations, local authorities, and ALMO's will be able to ask for their complaints to be considered by a 'designated person' when their landlord's internal complaints procedure is finished. This provision will start on 1 April 2013.

Why have designated persons?

Designated persons were introduced by the Government to improve the chances of complaints about housing being resolved locally. The idea behind 'localism' is that local people know best how to decide on local issues. The introduction of designated persons is intended to involve local politicians and local people in resolving local housing issues. It follows from this that there is to be no central control or regulation of the development of local resolution mechanisms.

The Housing Ombudsman is not a regulator and cannot define the expected role or processes for designated persons. That would be contrary to the purpose of localism.

Who can be a designated person?

A 'designated person' can be an MP, a local Councillor, or a Tenant Panel. Landlords do not have to set up tenant panels but they are expected to support their formation and activities if their tenants want them. To be effective the tenant panel must be 'recognised' by the landlord.

What does the designated person do?

A designated person will help resolve the complaint in one of two ways; they can try and resolve the complaint themselves or they can refer the complaint straight to the Ombudsman. If they refuse to do either the tenant can contact the Ombudsman directly.

The designated person can try to put things right in which ever way they think may work best. If the problem is still not resolved following the intervention of the designated person either they or the tenant can refer the complaint to the Ombudsman.

Complaints to the Ombudsman do not have to be referred by a designated person, but if they are not there must be at least 8 weeks from the end of the landlord's complaint process before the Ombudsman can consider the case.

The law says that when the designated person refers a complaint to the Ombudsman, it must be in writing.

What is the impact of designated persons on complaints procedures?

Designated persons have no direct impact on a landlord's internal complaints procedure. MPs and local councillors have always been involved in complaints procedures as advocates for tenants. They will continue to have that role. Their specific role as designated persons is different as they play a more specific part in the procedure. The detail of that role is not spelt out in the Localism Act, but a part of it is to refer complaints to the Ombudsman.

In practice this means that if a complaint is not resolved at the end of the landlord's complaints procedure, the tenant can:

- refer the matter to a designated person OR
- wait 8 weeks and refer the matter directly to the Ombudsman.

A designated person has no legal authority over a landlord's policy or procedure.

The Housing Ombudsman and designated persons

Early and local resolution is the best possible outcome to a complaint. We will encourage positive relationships between landlords and tenants and the designated persons to achieve this. We will also provide information and advice to support designated persons in improving the methods and approaches they might use to resolve a dispute. Whilst we will not comment on designated persons' decisions we will feedback on referrals from designated persons to improve complaints handling at all levels.

Although we can advise designated persons on good practice in complaint handling, the Ombudsman has no jurisdiction over designated persons and has no authority to regulate or produce guidance for their selection, activity or conduct.

The Ombudsman will be required to maintain a register of recognised Tenant Panels (from April 2013, information on how to do this will be available on our new website). However, we do not oversee the involvement of panels or any other designated person in the local resolution of complaints.

Change to our service from April 2013

From April 2013, when we receive a complaint we will always ask if it has been referred to a designated person and if not we will clarify the reasons for this. We will either then refer the matter to a designated person or if a tenant is clear that they do not want to make use of that opportunity for local resolution, (if it is more than eight weeks from the end of the landlords complaint process) we will consider the case.

Appendix 2 - Comparisons between the Registered Social Landlords within Lewisham and other Local Authorities

Housing Provider	In terms of the Designated Person will you be using all three options (MP, Members, Tenant Panel)	Current complaints procedure	How will the process work with the MP's and Members	Will you be assigning the role to one dedicated MP and Member	What administration support will you be providing for the DP?
L & Q	L&Q said that the MP and local councillor are designated persons. It would be up to the complainant if they wished to further their complaint to an MP or Councillor. L&Q did not feel it was up to them to set up a Tenants Panel. But if residents approached them to have a designated panel they would be guided by this.	L&Q have 3 stages: 1. customer relations team 2. Review by Senior Manager 3. Panel made up of board members Then if necessary the complaint goes to Ombudsmen	Complaints pack will be given to MP/Cllr. If further policies/info required, they will provide	No	Complaints pack will be given to MP/Cllr. If further policies/info required, they will provide
Hyde Housing	The general feeling from tenants who have been consulted on the options is that they want it as simple as possible and are not keen on the changes. At the moment Hyde's stage 3 complaints are dealt with by a tenant group who are lead by Hyde and supported by Directors.	Hyde have a 3 Stage complaints process	Still in discussion	No	The Tenants Panel will be supported by Hyde but left to organise themselves
Family Mosaic	All three. Trying to set up a scrutiny panel but very little interest at the moment.	We currently have a three stage process. Service failures are acknowledged by our Customer Care Line and managed to resolution by individual business units. Where official complaints are lodged, a response and action plan is agreed with the complainant at Stage 1. Stage 2 is a review by our Customer Relations Management Team with a final panel hearing (Stage 3).	Still in discussion	No	

Housing Provider	In terms of the Designated Person will you be using all three options (MP, Members, Tenant Panel)	Current complaints procedure	How will the process work with the MP's and Members	Will you be assigning the role to one dedicated MP and Member	What administration support will you be providing for the DP?
Phoenix	All three. Considering reconfiguring their existing Panel but mindful that they won't have the same amount of control.	Currently informal, stage 1,2,3 then Ombudsman. Stage 3 is a panel of residents.	Still in discussion	Have not considered but will look	Already offer support to existing TP so will review and adapt accordingly
Amicus Horizon	All three but working on a criteria for recruiting Panel members	Three stages	Still in discussion	No	Still in discussion
Hexagon	All three. Trying to set up a scrutiny panel	Three stages	Still in discussion	Still in discussion	They create an information pack at stage 3, and would probably just offer the complainant an extra copy of that, so that the complainant can keep their photocopying costs down etc, if they want to take their complaint to a DP.
Affinity Sutton	We've been considering various options. We haven't had an option ratified by our board yet but we're thinking the following; we feel we should avoid including the designated person function within the internal final stage appeal but question the value/ see potential conflicts in having a Tenant panel becoming involved after the hearing, particularly if residents have already been involved in decision making at final stage hearing. So, it could be that local MPs are best placed to act as designated persons. In the meantime we are strengthening our final stage procedures.	Two stages .First stage a manager attempts to resolve the complaint amicably and second stage is a complaints panel. The complainant is then advised of his/her opportunity to refer the complaint to the Independent Housing Ombudsman			
Lambeth	At the moment, they are planning on having Councillors briefed by 1st April. They are still deciding on whether to use Tenant	Three stages	To be decided. Their preference would be that councillors refer back to the	To be decided	This will be the role of the councillor and will not be funded by the

Housing Provider	In terms of the Designated Person will you be using all three options (MP, Members, Tenant Panel)	Current complaints procedure	How will the process work with the MP's and Members	Will you be assigning the role to one dedicated MP and Member	What administration support will you be providing for the DP?
	<p>Panels. Some of their tenant groups have made it clear that they would like to set up a panel but the council is still deciding whether to go down this route. There is a lot of work involved in setting up and maintaining panels and they don't know if this is something the council wants to get into at the moment, if purely from a financial point of view. As far as MPs are concerned, they have taken the approach that they are going to be briefed centrally. They will be contacting our local MPs but at the moment I am concentrating on our own councillors.</p>		<p>council so they can resolve them (although there is a risk that this becomes another level of the complaints process).</p>		<p>Council</p>
Southwark	<p>Initial report was taken to the senior management team, recommending that they do not set up a tenant panel. Can't see the benefit of setting up a panel and will only do so, if approached.</p>	<p>Three stages</p>	<p>Still deciding</p>	<p>No</p>	<p>Same as they do now. Provide information on request.</p>
Newham	<p>MP and Members. Still in discussion about Tenant Panel.</p>		<p>Corporate Complaints Team will offer support</p>	<p>All members are Labour, so are considering assigning this role to one Member</p>	<p>Corporate Complaints Team will offer support</p>
Hackney	<p>We are also still in the process of consulting with Members on the process for dealing with delegated person referrals and have given them a number of options to consider. The Business Analysis Team deal with all stage 3 investigations for Council Services, including our ALMO. Here at Hackney we don't intend to use Tenant Panels.</p> <p>I think the main reason was financial, ie cost and resources involved in setting them up. We will assess the situation again in 6</p>	<p>Three stages</p>	<p>We are also still in the process of consulting with Members on the process for dealing with delegated person referrals and have given them a number of options to consider. The Business Analysis Team deal with all stage 3 investigations for Council Services, including our ALMO.</p>	<p>No</p>	<p>Corporate Complaints Team will provide copies of complaints paperwork where requested and hold case conferences with Members to discuss cases,. Where tenants of other Registered Social Landlords approach our</p>

Housing Provider	In terms of the Designated Person will you be using all three options (MP, Members, Tenant Panel)	Current complaints procedure	How will the process work with the MP's and Members	Will you be assigning the role to one dedicated MP and Member	What administration support will you be providing for the DP?
	months to a year's time.				Members as a delegated person, we advise that the Member makes contact with the landlord direct for complaints paperwork or our Members Services team can assist them with this process.
Islington	MPs and Members. No Tenant Panel. Main reason for not wanting a tenant panel is cost and the resources involved in setting up. Which will require setting up, training, support and expenses. Possible delays when members or complainants cannot attend. To be reviewed in 6 months.	Two stages	It is likely that the referrals will be channelled through the Corporate Complaints Team. They will be provided with the necessary paperwork.	No	It is likely that the referrals will be channelled through the CC team. They will be provided with the necessary paperwork.
Greenwich	Not looking to set up a TP. Concerns that there will be a huge Data Protection issue. The 'usual suspects' will volunteer. Members are not keen on having a TP.	Three stages	Members Support Team will support the process	no	Members Support Team will support the process
Cambridge City	Still in discussion but are consulting with residents regarding the Tenant panel.	Two stages First stage – Service Manager Second Stage – Independent Person	Still un discussion	Still in discussion	Still un discussion

Appendix 3

Data for the 'top 9' housing providers in Lewisham borough for the period 2011/2012

Registered Provider	Housing	Number of Properties	Stage 3 Complaints	Complaints referred to the Ombudsman
Lewisham Homes		18,553	37	16
Regenter B3		1,838	5	0
London and Quadrant		6,256	3	0
Phoenix		5,449	12	2
Hyde Housing		2,212	0	0
Affinity		580	0	0
Family Mosaic		851	2	0
Hexagon		1009	2	2
Amicus		635	0	0
TOTALS		37383	61	20

Appendix 4

List of registered housing providers in Lewisham borough ('top 9' in bold)

Registered Housing Provider	Number of Properties
A2Dominion Homes Limited	28
Affinity Sutton Homes Limited	580
AmicusHorizon Limited	635
ASRA Greater London Housing Association Limited	120
Central and Cecil Housing Trust	1
Family Mosaic Housing	851
Gallions Housing Association Limited	21
Habinteg Housing Association Limited	20
Hexagon Housing Association Limited	1009
Hyde Housing Association Limited	2212
Lewisham Homes	18553
London & Quadrant Housing Trust	6256
Metropolitan Housing Trust Limited	16
Moat Homes Limited	11
Notting Hill Housing Trust	299
Orbit South Housing Association Limited	3
Peabody Trust	119
Phoenix Community Housing Association	5449
Raglan Housing Association Limited	5
Regenter B3	1,838
Southern Housing Group Limited	33
The Riverside Group Ltd	135
Viridian Housing	197
Wandle Housing Association Limited	253