

<b>Committee:</b>	Cabinet	<b>Date:</b>	Thursday, 5 December 2024
<b>Title:</b>	Amendment to Complaints Policy (Housing) – response timescales for Stage 2 complaints		
<b>Portfolio Holder:</b>	Cllr Arthur Coote, Member Responsible for Complaints		
<b>Report Author:</b>	Simone Russell – Strategic Director Housing Environment and Communities SRussell@uttlesford.gov.uk	<b>Key decision:</b>	No

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## Summary

1. This report recommends that Cabinet approves an amendment to the Policy timescale for responding to Stage 2 complaints, so that UDC is in line with the statutory timescales of 20 days.

## Recommendations

2. Cabinet is asked to approve the amendment to the Council’s Housing Complaints Policy.

## Financial Implications

3. There may be positive financial implications, where the council will be less liable to pay compensation – however this cannot be quantified.

## Background Papers

4. UDC’s current Complaints Policy (Housing) can be found here: [Housing complaints: how it works - Uttlesford District Council](#)

The Housing Ombudsman’s Complaints Handling Code can be found here: [Complaint Handling Code 2024 | Housing Ombudsman Service](#)

## Impact

5.

Communication/Consultation	The Policy will be consulted on with the Tenants and Leaseholder Panel for comment.
Community Safety	There are no impacts in relation to community safety.

Equalities	An Equalities and Health Impact Assessment has been carried out. This is attached as Appendix 1.
Health and Safety	There are no direct impacts in relation to health and safety.
Human Rights/Legal Implications	The Council is required to comply with the Statutory Complaints Handling Code 2024. The Social Housing Regulation Act 2023 requires landlords to comply with the Code.
Sustainability	There are no direct impacts in relation to sustainability.
Ward-specific impacts	All Wards.
Workforce/Workplace	The implementation of this policy will protect the wellbeing of staff and Members.

## Situation

6. The Council has an approved Complaints Policy for the Housing Service. The Complaints Policy sets out the timescales by which the two formal complaint stages will be responded to by UDC. The timescales set by UDC for responding in full to both Stage 1 and Stage 2 complaints are 10 working days, following acknowledgement of the complaint.
7. The Housing Ombudsman's statutory Complaints Handling Code (updated in February 2024) is prescriptive on the timescales for responding to complaints. The current timescales are 10 working days to respond in full to a Stage 1 complaint and 20 working days for Stage 2 complaints. Housing landlords generally have a 20 working day target to reflect this and when benchmarking UDC is comparing its performance against landlords who have the 20 day target.
8. UDC has historically had an ambitious 10-day target and always seeks to achieve this, however the Council frequently requests an extension for Stage 2 complaints, due to the complexity of cases and the challenge in identifying an available officer at a suitably senior level to review cases. On occasion the timescale has been missed, leading to a risk of escalation to the Housing Ombudsman and potentially the serving of a Maladministration Order.
9. Statistics on Stage 2 complaints response times for 2024-5 to date are set out below

No. Stage 2 Complaints received and closed	No. Stage 2 Complaints responded to 0-10 days	No. Stage 2 Complaints responded to 10-20 days	No. Stage 2 Complaints responded to over 20 day time limit
15	6	7	2

10. Once approved the Policy will be published on UDC's website.

11. Training will be provided to officers, so that they are aware of the change.

### Risk Analysis

12.

Risk	Likelihood	Impact	Mitigating actions
Failing to meet the statutory complaints timescale may result in a maladministration order by the Housing Ombudsman and reputational damage/potential compensation award.	3 – Currently a significant proportion of stage 2 complaint responses exceed 10 days	3 – Regulatory intervention, reputational damage, compensation	Launch and implement the policy.