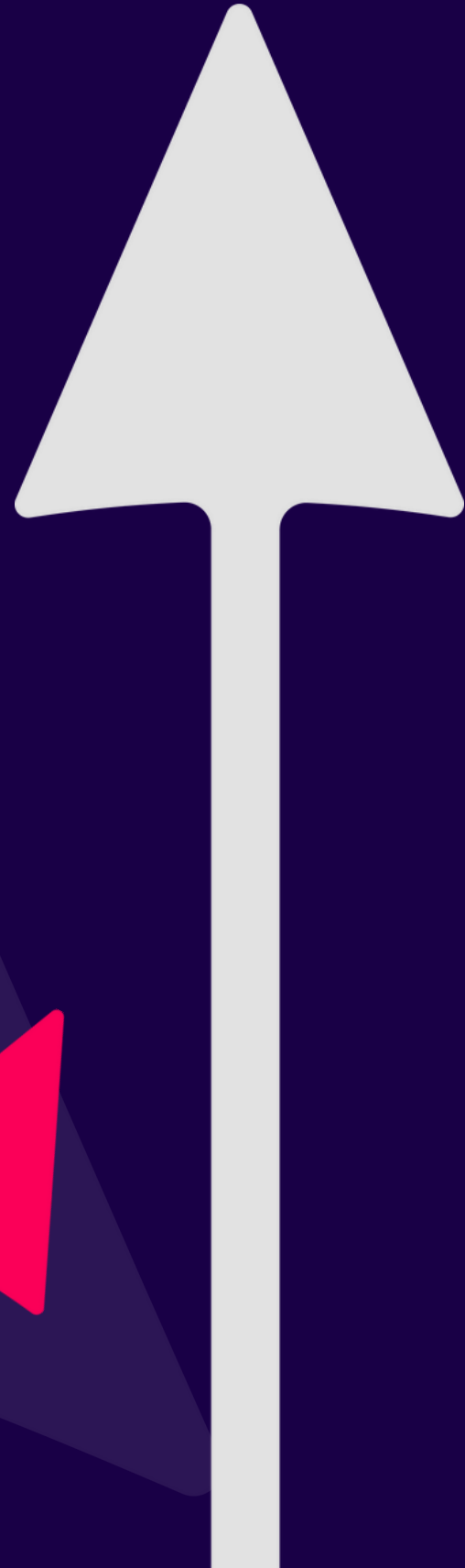


Accent

**Accent's**  
*Learning*  
*Report*

June 2024



# Introduction


*On 19th March 2024, Accent Housing received its first determination of Severe Maladministration from the Housing Ombudsman Service (HOS) which was concerned with the handling of a customer's report in relation to window repairs. Additionally, Accent received one determination of Maladministration with regards to the handling of the associated complaint.*

In the Housing Ombudsman's determination report to management, it required us to conduct a full review of our practice in relation to responding to requests for window repairs. The review was required to be conducted by a team independent of the service area responsible for complaints and window repairs, which focussed on the following;

- An exploration of why the failings identified by the Housing Ombudsman's investigation occurred.
- Identification of all other residents who may have been affected by similar issues, but not necessarily engaged with our complaints procedure, for any open/live repair cases.
- A review of the wording of our tenancy agreements, repairs policy and procedures, and tenants' handbooks to ensure it reflects the landlord's implied obligation under Section 11 of the Landlord and Tenant Act 1985 to repair window glazing.
- A review of our colleague's training needs to ensure all relevant officers:
  - respond to requests for repairs appropriately and in accordance with relevant policies and procedures.
  - respond to formal complaints appropriately. We should ensure all relevant officers do so in an efficient and timely manner, and in accordance with relevant policies and procedures and the Housing Ombudsman's complaint handling code.
- A review of our record-keeping practices to ensure appropriate recording, handling, and responses to repairs taking longer than 28 days and formal complaints, and consider, if not done so already, implementing a knowledge and information management strategy, in line with the Ombudsman's spotlight report on knowledge and information management.

On conclusion of the review, the Housing Ombudsman required us to produce a report summarising our learning and findings with recommendations on how we intend to ensure similar failings are not repeated in the future.

We were also required to identify the number of customers who have experienced similar issues and outline the steps we will take to provide redress at the earliest opportunity, including consideration of compensation where appropriate.



We acted quickly on these recommendations and instigated a full investigation with additional, impartial oversight from an external, independent advisor.

We fully accept the Housing Ombudsman's determination and have worked swiftly to ensure valued learning can be taken from this to put things right. We unreservedly apologise to the customer at the centre of this case and have made that apology personally.

We summarise our findings and learnings within the body of this report and are acting swiftly to improve our service.

# Background

The case in question commenced in late February 2023 when the customer reported a broken window which they believed was a result of anti-social behaviour. The customer in question was known to have vulnerabilities within their household. After pursuing their complaint through our documented process, the customer contacted the Housing Ombudsman Service who investigated the customer's concerns and found that we were answerable to a case of severe maladministration.

The Housing Ombudsman requested that we undertook an independent review of this case. The review requested by the Housing Ombudsman has highlighted a number of learnings/learning points which are summarised later in this report.

We are committed to continuous improvement and learning. Since the customer complaint was received in early 2023 we have extensively reshaped our customer offer, making a number of changes to improve the services received by customers and providing our colleagues with the tools and skills needed to deliver to a high standard.

A number of actions have already been undertaken:

- Housing patch sizes have been reduced to no more than 350 properties to give customers a more personalised service and allowing Housing Partners to provide focussed and tailored support to customers.
- All colleagues involved in handling customer repair requests (inclusive of out of hours contractors) have been briefed on repairs responsibilities to ensure there is a clear understanding, particularly in relation to window repairs / glazing.
- A review of our customer repairs leaflet has been undertaken to ensure that any ambiguity relating to glazing is removed and our obligations are clear. This has been published on our website.
- A comprehensive review of our repairs handling processes and resources has been commissioned and a number of resultant actions are now being implemented, including but not limited to, additional staffing to support customers with their complaints, a dedicated manager to oversee complex cases and system improvements to facilitate the active management of cases.

# The Review

## *Learnings and Findings*

The independent review was conducted by Accent's Business Assurance team and supervised by an external third party to ensure independence at all stages.

The review findings can be summarised into several key themes with recommendations detailed below.

### **REPAIRS POLICY**

The review found that our updated approach to repairs responsibilities introduced in June 2022 was not aligned to the implied responsibilities held within the Landlord and Tenant Act 1985. Whilst the policy update was communicated on customer facing platforms and the new repairs responsibility leaflet was included with rent booklets in February 2023, more could have been done to consult with customers and communicate prior to the change being implemented. The repairs policy was subject to annual review in 2022 and was updated to reference the amended responsibility leaflet. This was approved by our Customer Experience Committee in January 2023, however more could have been done to provide clarity around the changes to the updated policy.

Whilst not explicitly written into the repairs responsibility policy, the review did identify that exceptions to the policy were applied on a customer by customer basis where ASB or vulnerabilities were identified and concerns were escalated to management. This has been evidenced by data collected as part of the review.

The policy has been updated to make clear that we will repair glazing but customers may be recharged for the work, dependent on the circumstances.

### **COLLEAGUE TRAINING AND DEVELOPMENT**

Our review highlighted a number of areas for improvement in relation to colleague training and developing our wholesale understanding of landlord responsibilities, particularly in relation to vulnerable customers.

It was found that in this particular case colleagues had not logged the customer's vulnerabilities in the correct fields in the housing management system, resulting in incomplete information being available to enable call handlers to fully assess the customer's needs. Colleagues involved in the complaint in question were not fully aware of, or had misunderstood new ASB procedures that had been recently introduced. This resulted in opportunities to support the customer being missed. In addition, it is apparent that colleagues involved in this case were not aware that they could exercise discretion or escalate a case where a customer's circumstances required an alternative approach to be considered. Support and training in this respect will be provided to all colleagues for clarity.

In relation to complaints handling, the review found that our approach has been updated in accordance with the Ombudsman Complaints Handling Code and that colleagues have been trained.

This will be delivered by management in conjunction with our in-house Learning and Development team. The assurance programme associated with this review will ensure that this training is embedded, understood and consistently applied.

The failings relating to the handling of this complaint were due in part to the incorrect understanding that the glazing was a customer's responsibility to manage and the particular colleagues involved in this case not being clear on the escalation process. This understanding has now been corrected with colleagues.

We know that colleague training and clear understanding of policies and procedures is critical to providing customers with a supportive and personalised service. Enhanced training has already been provided to customer facing colleagues, however this will be further reinforced and embedded as part of our learning to ensure colleagues understand:

- the current corrected repairs policy
- Accent's statutory repairing obligations
- how to respond to tenants' diverse needs
- how to deal effectively with complaints

In addition, learning from this case, and other Housing Ombudsman cases across the sector, will be shared with colleagues to embed their understanding of best practice through training sessions and briefings. The Executive team will ensure oversight of this and it is included in their assurance framework.

## **RECORD KEEPING**

This review has highlighted areas of improvement in relation to record keeping and consistent use of our housing management system. We have already invested in dedicated training resources to support colleagues with the use of the system. Our assurance framework will ensure that we continue to review the use of the system to ensure the learning from this review is embedded and impactful. A knowledge and information management action plan has been developed, in line with the Housing Ombudsman's spotlight report on knowledge and information management, with a self-assessment having been conducted in March 2024 to inform the action plan. This will be monitored as part of the ongoing action plan relating to this independent review which is detailed at the end of this report.

## **TENANCY AGREEMENTS**

We have reviewed our tenancy agreements in accordance with the Housing Ombudsman's instruction. The template agreements in place are correct and align to current statutory obligations as they state that we will repair the outside of the home and keep it in reasonable order, however they are not explicit in relation to glazing responsibilities. We will promptly review this and seek appropriate legal advice. Some historical tenancy agreements do not reflect current obligations and will be subject to further review.

## OTHER AFFECTED CUSTOMERS

In accordance with the determination, we reviewed all customers with potential concerns in relation to broken windows, whether or not they had raised a complaint. This review identified 556 properties where concerns relating to glazing had been reported. Of the 556 homes, 297 required no further action as work had been completed. A significant number, 166, of the 297 had work completed by Accent following a report of ASB, vulnerabilities or health and safety concerns being identified. 259 customers identified required a further review.

We are in the process of contacting each of these customers by specially trained colleagues. Where outstanding works exist, we are arranging for them to be completed as soon as possible. Recompense is being considered for any works that have been completed that we should have done. Compensation is being assessed on an individual customer basis within an agreed framework giving consideration to the loss of enjoyment of their home, service failure and any loss of heating or lighting. Compensation will be aligned to the guidance set out in this determination.



# Our Response

## *and ongoing assurance*

We know on this occasion we failed to deliver. We unreservedly apologise to the customer at the centre of this case and have made that apology personally. We are actively contacting any other customers who have experienced similar issues and will take all the necessary steps to redress any service failures. We want to put things right and learn lessons to further improve our customer service, ensuring that all our customers can live happily in their homes.

We launched an independent review with oversight from an external advisor and have built an action plan on the resulting recommendations. The delivery of this plan will be monitored closely by the Executive team with governance oversight provided by Accent’s Customer Experience Committee and Group Board.

Ref	Recommendation	Management response
1	<p><b>REPAIRS POLICY: COLLEAGUE UNDERSTANDING</b></p> <p>Accent must be satisfied that its updated approach for responding to, and dealing with, window repairs has been clearly and consistently communicated to:</p> <ul style="list-style-type: none"> <li>• all teams who raise repairs (including Accent’s out of hours service),</li> <li>• all colleagues who approve repairs;</li> <li>• all colleagues who carry out repairs inspections;</li> <li>• all other colleagues who may receive queries or reports from customers about repairs.</li> </ul> <p>Documentation should be reviewed to ensure legacy files are archived to avoid confusion.</p>	<p>The customer responsibility leaflet was immediately updated when the determination was received.</p> <p>All relevant teams were briefed on 2nd April 2024. In addition, all managers in the Chief Operating Officer’s directorate were briefed at an in person meeting in May 2024.</p> <p>A further written briefing note has been sent to all colleagues by the Director of Assets &amp; Compliance to reiterate the amended approach.</p> <p>Legacy documentation will be reviewed and archived as appropriate and colleagues will be reminded to access information from central sources to ensure currency.</p>



Ref	Recommendation	Management response
2	<p><b>REPAIRS POLICY: COLLEAGUE UNDERSTANDING</b></p> <p>Accent should update the repairs responsibilities leaflet to make it explicit that Accent will repair broken glazing. It should then proactively communicate its updated approach for dealing with window repairs to its customers.</p> <p>The communication should clearly explain Accent’s repairing obligations and include supporting information on how customers can report repairs, the steps that Accent will take to respond to repair requests, and its timescales for responding to them.</p> <p>The Executive team should consider whether a gateway panel, which includes customers, would be useful for the review of customer-facing communications before publication.</p>	<p>The customer facing leaflet was immediately updated to remove glazing from customer responsibilities and we will include all window repairs as Accent’s responsibility. An update has been made to refer to incidents arising from tenant damage and resultant rechargeable repairs. This does still apply to re-glazing depending on the circumstances that led to the damage.</p> <p>We will ensure that customers are reminded of how to report repairs in the next edition of the resident newsletter ‘In the Loop’.</p> <p>It is agreed that customers should be more extensively consulted on customer facing policies. We do seek customer feedback on some customer facing documentation and have recently worked with a group of customers to change the service charge leaflet that is sent out as part of the annual review.</p> <p>The Insights team will consider the appropriateness of re-establishing a customer panel to look at communications going forward. The Executive team will maintain oversight of this.</p>

Ref	Recommendation	Management response
3	<p><b>RESPONDING TO CUSTOMER VULNERABILITIES</b></p> <p>Accent should review its customer facing policies to make sure they clearly set out how Accent will consider and adapt its processes for vulnerable customers to avoid any uncertainty.</p> <p>This should be coordinated with any planned amendments to policies that outline Accent’s approach to adapting services to meet customers’ diverse needs.</p> <p>Training on customer-facing processes should include steps for identifying, recording appropriately and responding to vulnerable customers, and adjustments that should be made if vulnerabilities are identified.</p>	<p>A paragraph will be agreed and inserted in to each customer facing policy and procedure that addresses vulnerabilities and the need to have a flexible approach where appropriate to provide the best support to customers.</p> <p>Customer facing staff are all required to complete safeguarding training which does help to identify some vulnerabilities. This training will be reviewed to ensure colleagues are compliant and up to date. In addition, Accent’s Learning and Development team will develop support for colleagues to gain a deeper understanding of what is a vulnerability and how they may identify them in their day to day interactions with customers.</p> <p>A customer data exercise is currently being undertaken which focuses on the collection and recording of customer data, including vulnerabilities and what steps need to be taken to tailor services and communications appropriately. This project is being led by the Customer Insights team, with oversight being provided by the Executive team.</p>
4	<p><b>TENANCY AGREEMENTS</b></p> <p>Accent should review its tenancy agreement templates to make it explicitly clear that the structure and exterior of a property includes the windows and glazing.</p> <p>Where appropriate legal advice should be sought to consider corrective steps relating to any aged agreements that do not reflect Accent’s statutory repairing obligations.</p> <p>Managers should be trained on the key principles of relevant law for social landlords, including statutory repairing obligations to ensure they clearly understand Accent’s responsibilities.</p>	<p>We have a tenancy agreement review in our corporate plan for 2024/25. The aim is to review and standardise our tenancy agreements to ensure they are all aligned. We will seek legal advice, consult with tenants and aim to introduce a new tenancy agreement in late 2024/25 and have all existing tenants transferred to the new agreement during 2025.</p> <p>We will review our core training suite and identify where this can be strengthened regarding housing law to include landlord and tenant obligations. Additionally, colleagues are being supported with CIH training which will further their understanding and support the professionalisation of the sector.</p>

Ref	Recommendation	Management response
5	<p><b>POLICY CONSULTATION AND APPROVAL</b></p> <p>New policies and policy changes should be subject to appropriate consultation, including with resident groups (for customer-facing policies) and, where relevant, colleagues.</p> <p>Legal advice on policy changes should be obtained where necessary.</p> <p>Committees who approve policy changes/new policies should be provided with evidence of consultation, impact assessments completed, and any legal advice given before approving policy changes.</p> <p>Management should consider creating a process that allows colleagues to feedback on policy changes and how they are working in practice to help drive improvement.</p>	<p>Policy changes do go through appropriate authorisation bodies in accordance with the standing orders. Where appropriate for customer facing policies, we do consult customers. Customer facing policies are approved at our Customer Experience Committee and membership includes four customers, two of whom are tenants.</p> <p>Accent has a customer panel called the Accent 1000 alongside smaller focus groups for specific projects – such as customer communications.</p> <p>Our approach to customer consultation and the customer voice will be strengthened going forward with colleagues in the Customer Insight team and Governance teams providing support.</p> <p>Third party advice sought in relation to policy changes will be highlighted to approval committees.</p> <p>A colleague feedback process will be implemented as part of ongoing improvement in relation to policy development.</p>
6	<p><b>COMPLAINTS HANDLING</b></p> <p>The Executive team should oversee the implementation of the new complaints quality framework to make sure it is well embedded and understood by colleagues who may receive and handle complaints.</p>	<p>Our complaint handling service is currently being reviewed. We recently commenced a consultation with the view to developing a centralised complaints resolution team, to include a specific requirement for service improvement. This will be followed by a full process review that is due to be concluded in late 2024 and is sponsored by the Executive team.</p> <p>The review will incorporate the new complaint handling framework and will look to develop mechanisms to report compliance against the framework.</p> <p>Also under consideration is the implementation of a new complaint/case management system to ensure accurate and consistent record keeping and reporting.</p>

Ref	Recommendation	Management response
7	<p><b>KNOWLEDGE AND INFORMATION MANAGEMENT</b></p> <p>Accent should incorporate the record keeping issues identified during this review into its knowledge and information management action plan. The Executive team should oversee the implementation of the knowledge and information management action plan and should obtain routine assurance that the actions have been completed and are well-embedded into Accent’s practices.</p> <p>Accent colleagues should be briefed on the correct approach for responding to contact from local authorities, how to record details of the contact, and how to direct contact to the correct teams.</p>	<p>Accent completed a self assessment against the Housing Ombudsman’s knowledge and information management framework in March 2024 and a supporting action plan has been created. The areas of focus and learning highlighted within this review in relation to record keeping and customer vulnerabilities will be incorporated into the action plan. The Executive team will provide oversight of the implementation of this plan.</p> <p>Colleagues have been briefed on responding to and recording any external correspondence relating to customers. The Director of Assets &amp; Compliance has included guidance in this respect to all relevant colleagues.</p>
8	<p><b>PUTTING THINGS RIGHT FOR OTHER CUSTOMERS</b></p> <p>In line with the Housing Ombudsman’s instructions, the Executive team should set out the steps it proposes to take to provide redress for any customers who may have been affected by similar issues to those identified in the Housing Ombudsman’s determination report. This should include consideration of compensation, proportionate to the level of detriment each customer may have experienced due to the failings.</p>	<p>This is underway with 259 customers being identified as requiring contact.</p> <p>Specially trained colleagues are calling customers individually to explore their circumstances and offer redress as appropriate. A clear framework has been formulated and agreed by the Executive team in respect of potential compensation proportionate the level of detriment. This has been aligned to the Ombudsman’s recommendations in this case.</p>
9	<p><b>ASB TRAINING</b></p> <p>The Executive team should seek assurance that the new ASB training has been consistently rolled out to all relevant colleagues, training is properly incorporated into the colleague induction process, and there is a programme of refresher training in place to maintain knowledge and understanding of correct processes.</p>	<p>All Housing Partners and Specialist Housing Hub Advisors complete E-learning on starting their new role and periodically as a refresher. The Learning and Development team are ensuring all colleagues are current in their learning and will provide further support where required.</p> <p>In April 2024, an ASB training course was delivered virtually for all Housing Partners and Housing Hub staff. In addition 48 Housing Partners attended CIH ASB training.</p>



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