

## Place Committee

8 July 2021

### Information item - Response to Housing Ombudsman determination against Kingston Council from April 2020

Report by Executive Director of Place

Relevant Portfolio Holder: Councillor Emily Davey, Portfolio Holder for Housing

#### **Purpose of Report**

To comply with the Independent Housing Ombudsman's determination made in April 2020 that a Committee notes the recommendations made against Kingston Council. The determination follows a complaint from a housing customer, made in November 2018, about the Council's handling of a petition regarding Thames Water charges.

#### **Recommendation(s)**

**The Committee is asked to note the report and actions taken following the determination by the Housing Ombudsman in April 2020.**

**This is an information item.**

1. Actions taken by Landlord Services demonstrate the lessons learnt from this complaint and that the service has improved with offering e-petition through the Council's website for citizens to express their views; and
2. The actions taken provide assurance that the housing service has strengthened its practice on handling petitions.

This Committee is asked to review and acknowledge the actions taken by Landlord Services, following a determination by the Independent Housing Ombudsman (IHO) made in April 2020.

The Ombudsman found that the Housing Service had not dealt with a Petition from 18 Council Housing Tenants appropriately.

The Ombudsman made a determination in April 2020 and found maladministration.

Landlord Services responded to the Ombudsman's findings by:

- 1) Delivering a programme of briefings to frontline staff in the Council's housing service to remind staff what to do if a petition or group complaint is received. This action ensures all staff in Landlord Services are aware of the Corporate procedures in place to effectively manage a citizen's right to submit a petition and have the issue heard by a relevant Committee.
- 2) Landlord services reviewed the guidance on the RBK website about how to submit a petition and found it to be accurate
- 3) Landlord services has reviewed the process to handle petitions effectively so that all stakeholders are clear on roles and responsibilities.

The Committee is recommended to:

- 1) Approve the actions taken in response to the IHO determination, made in April 2020, about our handling of a petition;
- 2) Delegate to the lead officer landlord services that a response is made to the IHO with the published minutes arising from this item of the Place Committee for 8 July 2021

## **Benefits to the Community:**

Citizens are assured that petitions will be handled correctly by Landlord services.

## **Key Points**

- A. A petition was submitted by a housing customer in November 2018 regarding the issue of water rate charges. The petition was not handled appropriately. A formal complaint was brought against the Council by one of the petitioners. The complaint went to the Housing Ombudsman for resolution. The Ombudsman upheld the complaint and made recommendations in April 2020 that the Council should:
  1. Pay the complainant a modest amount of compensation, to acknowledge the time and trouble in bringing this complaint (completed)
  2. Note the IHO determination at an appropriate Committee meeting (report submitted today.)

## **Context**

1. Kingston Council was formally challenged by a tenant in 2016 about the administration of Water Charges for the supply of water and sewerage services provided by Thames Water.
2. The individual complaint was subsequently endorsed by the submission of an e-petition by 18 other signatories in November 2018. The petitioner took her complaint to the Housing Ombudsman Service. Subsequently the Ombudsman determined that the Council had administered the petition poorly.
3. The original complaint about Water Charges was subject to a legal challenge through the High Court, and at the Court of Appeal. The legal case was concluded and judgement given by the Appeal Court in October 2020. Refunds have been duly administered to tenants.
4. Kingston Council has effectively managed the prescribed refund of water rates to current and former tenants, following the Appeal Court decision.

## **Proposal and Options**

5. This report brings to a conclusion the actions set out in the IHO determination from April 2020.
6. No other options have been given or considered.

## **Timescale**

7. Actions have been completed following receipt of the IHO determination and the first available Committee meeting to include this item on the agenda.

## Financial Context

8. The council is operating in an increasingly challenging financial environment. Kingston faced a number of financial challenges in the medium to longer term - even before the COVID-19 outbreak, which has further added to these challenges. The economic and financial consequences of the pandemic, growing demand for services, and limited government grant funding make it difficult to find adequate funds to meet the borough's needs.
9. The future of local government finance faces a significant level of uncertainty. The impact of the Fair Funding Review and a future review of business rates is currently unknown, and the lasting effects of COVID-19 on our residents, local businesses and the Council itself remain uncertain.
10. Despite these challenges the council has a drive and commitment to ensure it is doing the best for residents and communities.

## Resource Implications

11. The complainant was paid £50 compensation.

## Legal Implications

12. None

## Risk Assessment

13. Housing residents require confidence that if they submit a petition to the Council, it will be acknowledged, handled and escalated appropriately in line with the Corporate Policy.
14. Mitigation has been put in place to ensure all staff in Landlord Services know how to handle petitions.

## Equalities Analysis

15. No change to existing policy on managing petitions

## Health Implications

16. None

## Road Network Implications

17. None

## Sustainability Implications

18. Submitting petitions on line reduces paper

## Background papers held by author

19. None other than those referred to in this report

IHO determination letter dated April 2020

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