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MINUTES OF A MEETING OF THE ADJUDICATION AND REVIEW COMMITTEE Town Hall Main Road Romford 6 August 2015 (6.30 - 7.00 pm)

Present:

COUNCILLORS

Conservative Group +Roger Westwood (Vice-Chair) and Michael White

**East Havering
Residents' Group** Alex Donald

Apologies for absence were received from Councillor Garry Pain (Councillor +Roger Westwood substituted for him)

The Chairman reminded Members of the action to be taken in an emergency.

There were no declarations of pecuniary interest.

Also present: Gill Hiscox, Executive Manager, Carol Ager, Executive Support Officer and Ann Carey, Complaints Officer all from the CE's Office.

1 EXCLUSION OF THE PUBLIC

On a motion by the Chairman,

The Panel excluded the public but permitted the representatives of the Chief Executive's Office to remain as observers.

2 CONSIDERATION OF A COMPLAINT AGAINST THE HOUSING SERVICE CONTAINING EXEMPT INFORMATION

The details of this complaint are contained within the exempt appendix to this Minute.

The essence of the complaint was that initially the complainant was left without hot water or heating for six days whilst a contractor fitted a new bathroom. When the contractor left, there was a leak which caused extensive water damage to personal possessions as well as the property. This leak was repaired but a second leak caused further damage. It too was quickly repaired.

The complainant raised these matters with the Council and it appears that there were some delays and misunderstandings in the communication between the service and the complainant which caused delays and frustration.

At Stage Two, the repair issues were fully addressed and a new boiler system installed at no cost to the tenant but there remained the issue of damage to personal property and ancillary costs. The complainant did not have contents insurance and considered that the Council was liable. This was ruled as being inappropriate for consideration by Members as insurance claims do not fall within their remit as this is a distinct remedy route itself.

A sum of £100 had been offered to the complainant (in line with a figure which the Local Government Ombudsman considered appropriate) as a good-will gesture in respect of the loss of hot water and heating for six days.

The Panel **DECIDED**:

1. Not to uphold the complaint because it considered that whilst the Service initially failed to properly address the complaint issues, the subsequent action and remedies had been speedy and complete. The Panel considered that in certain respects the Service had gone further than had been strictly necessary and by so doing had provided additional benefit for the tenant.
2. The £100 award was appropriate and that no further award should be made.
3. With regard to the loss of personal possessions, this was subject to the insurance process and as such did not fall within the Panel's remit and was as a consequence, not considered.

The Panel **RECOMMENDED** that:

1. In light of the failure of the service to ensure that the complainant's initial contact was followed-up in a speedy, professional manner and that the appropriate advice had been given at the outset, robust controls should be put in place to ensure that from the initial contact to resolution, appropriate action is taken and that all details are logged on a uniquely identifiable retrieval system and any escalation of a problem is made quickly and seamlessly.
2. The above should be a corporate minimum standard and that the Chief Executive's Office – as far as it fell within its remit – should ensure that all Service Heads had in place the same process so that the Council would be seen as a single entity. The Panel appreciated that a CRM system was in place, but expressed the view that it needed to be fit for purpose and that required flexibility and inbuilt prompts and alerts.
3. Clear information should be given to the public when they approach any of the Council services in respect of insurance claims. The panel considered that if there was no standard policy available, this should be rectified and standard information made available as soon as possible.

4. Whilst it noted that repair timescales for landlords were set nationally and were part of the Council's tenancy agreements, the Panel was of the opinion that the Council should (if it did not already do so generally), publish reasonable timeframes to ensure that tenant (and public) expectations were managed in a realistic manner. As a source document, it would also assist clarification in any dispute resolution.
5. The Head of Housing, in consultation with the Council's Legal Service, explore the possibility of adding an addendum to the Council's tenancy agreement which would offer an affordable house contents insurance to the tenant and if this was declined, to have a clear waiver to the effect of removing any liability from the Council in the event of there being any uninsured personal loss. The Panel was mindful that it might be prudent to consult the Housing Ombudsman's Code of Conduct in relation to landlord's duties to ensure that any such waiver was compliant and consistent with good practice.

Chairman

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of the Local Government Act 1972.

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