

# Appendix C – Self-Assessment Form against the Housing Ombudsman Complaint Handling Code

This self-assessment form should be completed by the complaints officer and discussed at the landlord’s governing body annually. Evidence should be included to support all statements with additional commentary as necessary. Explanations must also be provided where a mandatory ‘must’ requirement is not met to set out the rationale for the alternative approach adopted and why this delivers a better outcome.

## Section 1 - Definition of a complaint

### Mandatory ‘must’ requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.2	A complaint must be defined as: <i>‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.’</i>	Yes	The definition in the Complaints Policy reads: “A complaint is defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or several individuals.” The reference to residents has been removed as anyone can make a complaint, not just residents.
1.3	The resident does not have to use the word ‘complaint’ for it to be treated as such. A complaint that is submitted via a third party or representative must still be handled in line with the landlord’s complaints policy.	Yes	Residents do not have to use the word complaint for it to be treated as one. As per the policy and definition above, a complaint could be made about the following: <ul style="list-style-type: none"> <li>• Delay in taking action without good reason</li> <li>• Failure to provide a service</li> <li>• Mistakes in the way a decision was taken</li> <li>• Not following the law or the Council’s own rules</li> <li>• Broken promises</li> <li>• Giving incorrect or misleading information</li> <li>• Bias or discrimination</li> <li>• Rude, unhelpful or inappropriate behaviour by staff</li> <li>• Poor communication</li> </ul> Complaint training provided to staff also reiterates that residents do not have to use the word ‘complaint’ for it to be treated as such.

1.6	... if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.	Yes	If the Council cannot immediately resolve the complaint or the resident requests for a complaint to be logged within valid reason, the issue is logged as a complaint.
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	The Council accepts all complaints unless there is a valid reason not to including where it falls within Appendix 1 of the Complaints Policy.
1.8	A complaints policy must clearly set out the circumstances in which a matter will not be considered, and these circumstances should be fair and reasonable to residents.	Yes	The Complaints Policy clearly outlines what can and cannot be considered under the Council's complaints process. The circumstances are fair and reasonable and in line with the Housing Ombudsman guidance.
1.9	If a landlord decides not to accept a complaint, a detailed explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.	Yes	If a complaint is not to be considered, the resident will still receive a response containing the detailed reasons why the complaint cannot be considered and the response will include escalation rights.

### Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.4	Landlords should recognise the difference between a <b>service request</b> , where a resident may be unhappy with a <b>situation</b> that they wish to have rectified, and a <b>complaint</b> about the <b>service</b> they have/have not received.	Yes	The Council recognises the difference between a complaint and a service request. It mentions in its Complaints Policy, "Some issues do not fall within the category of a complaint and are more appropriately dealt with as a service request. This can include instances where a customer is 'complaining' about a problem that the Council has not created, such as neighbour noise nuisance. The same can be true for a 'complaint' received to report a repair request. These are requests to the Council for appropriate action to be taken."
1.5	Survey feedback may not necessarily need to be treated as a complaint, though, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to.	Yes	We will include this in our Tenant Satisfaction Measures (TSM) surveys, currently they are being undertaken by phone or in person so we can confirm that residents know how to complain. We will ask the teams undertaking transactional surveys to also confirm the process for making complaints.

## Section 2 - Accessibility and awareness

### Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.1	Landlords must make it easy for residents to complain by providing different channels through which residents can make a complaint such as in person, over the telephone, in writing, by email and digitally. While the Ombudsman recognises that it may not be feasible for a landlord to use all of the potential channels, there must be more than one route of access into the complaints system.	Yes	Complaints can be raised via email, in person, by telephone or using the online form or portal. They can also be submitted via a Councillor or directly to officers if the resident asks for an issue to be processed through the complaints process. We accept all forms including verbal, written or online.
2.3	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the number of stages involved, what will happen at each stage and the timeframes for responding.	Yes	The Complaints Policy is available in a clear and accessible format for all residents. The policy contains stages, what will happen, and timeframes.
2.4	Landlord websites, if they exist, must include information on how to raise a complaint. The complaints policy and process must be easy to find on the website.	Yes	The Council's website has a dedicated complaints page which is easy to find on the Council's website and through its search function.
2.5	Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs. Landlords must satisfy themselves that their policy sets out how they will respond to reasonable adjustments requests in line with the Equality Act and that complaints handlers have had appropriate training to deal with such requests.	Yes	The Council is committed to ensure that all residents can access its services and are not disadvantaged in any way. Below are some of the adjustments that can be offered: <ul style="list-style-type: none"> <li>• use of email or telephone in preference to hard copy letters</li> <li>• use of plain English or Easy Read service on our website</li> <li>• communication through a representative or intermediary</li> <li>• rest or comfort breaks in meetings.</li> <li>• provision of information in appropriate alternative formats (eg. large print, Braille, coloured paper etc.)</li> <li>• provision of auxiliary aids</li> </ul>

			<p>The Equality Act 2010 introduced the Public Sector Equality Duty (PSED) which the Council considers when carrying out day-to-day functions, crafting policies and delivering services. All staff undertake equality and diversity training, which is part of the Council's essential training programme. The Council's Equalities Strategy Lead officer is currently undertaking an overarching piece of work which is reviewing accessibility to the Council – not just in terms of physical access but also looking at how residents and customers are able to interact with us and access services/support based on, for example, our use of language in corporate materials. Our Equalities Strategy, due for circulation next year alongside our Borough Plan, will set out a detailed approach on how we aim to remove inequalities and build a better, stronger, more inclusive Brent.</p>
2.6	<p>Landlords must publicise the complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme in leaflets, posters, newsletters, online and as part of regular correspondence with residents.</p>	Yes	<p>The Complaints Policy, the Housing Ombudsman scheme, a copy of the Council's self-assessment of the code and the Code itself are all publicised on the Council's complaints page. Our final review complaints also signpost residents to the Housing Ombudsman should they remain dissatisfied. The Housing Management Service will include in regular correspondence (leaflets, posters, newsletters) details of the Housing Ombudsman and Complaints Handling Code as well as the Complaints Policy. The Housing Management Service will also be providing information on notice boards, at Resident Associations and will do a run on email signatures for short periods across the year promoting the complaints process.</p>
2.7	<p>Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.</p>	Yes	<p>The Council provides residents with contact information for the Ombudsman in complaint responses, online and in correspondence where appropriate.</p>
2.8	<p>Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted.</p>	Yes	<p>Details for the Housing Ombudsman and LGSCO are available on the Council's webpages and a direct link to the Ombudsmen pages is also provided. The Complaints Policy details a complainant's right to access the Housing Ombudsman Service throughout their complaint.</p>

### Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.2	Where a landlord has set up channels to communicate with its residents via social media, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.	Yes	Where a complaint is received through social media, the complainant will be contacted through direct message to supply details so that the complaint can be logged on the Council's CRM system and be investigated. Details of the process is included in the Complaints Policy.

### Section 3 - Complaint handling personnel

#### Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.1	Landlords must have a person or team assigned to take responsibility for complaint handling to ensure complaints receive the necessary attention, and that these are reported to the governing body. This Code will refer to that person or team as the "complaints officer".	Yes	The Housing Management service have a dedicated support team and a Complaints Officer managing complaints. In addition, our principal repairs contractor has a dedicated complaints officer and we have weekly complaints meetings to address lessons learnt from complaints and work on next steps. The Council also have a corporate complaints team that monitor and track all complaints received by the Council. The corporate complaints team compile complaint reports to Cabinet on a yearly basis.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	The Corporate Complaints Team have relevant training in handling complaints and are independent of the service area.

### Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.3	<p>Complaint handlers should:</p> <ul style="list-style-type: none"> <li>• be able to act sensitively and fairly</li> <li>• be trained to handle complaints and deal with distressed and upset residents</li> <li>• have access to staff at all levels to facilitate quick resolution of complaints</li> <li>• have the authority and autonomy to act to resolve disputes quickly and fairly.</li> </ul>	Yes	All complaint handlers receive training on dealing with complaints and complainants. They have autonomy to resolve complaints and approve compensations payments at low level. There is also direct access to senior staff to facilitate quick resolution.

### Section 4 - Complaint handling principles

#### Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.1	<p>Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord's audit trail/records should be able to demonstrate this. Landlords must ensure that efforts to resolve a resident's concerns do not obstruct access to the complaints procedure or result in any unreasonable delay. It is not appropriate to have extra named stages (such as 'stage 0' or 'pre-complaint stage') as this causes unnecessary confusion for residents. When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure <b>within five days of receipt.</b></p>	Yes	If the Council feels that a complaint can be resolved at first point of contact, the resident will be asked whether they are in agreement for the service to take action. They will be told in writing that after the action is taken, if they are still dissatisfied they can progress their complaint through the Council's complaint procedure. All complaints at stage 1 and 2 are logged and acknowledged within five working days providing timescales and named officer contact details.

4.2	Within the complaint acknowledgement, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	Yes	Complaint acknowledgements include a brief summary of the area of complaint and officers dealing with the complaint will promptly contact the complainant to request clarification if any aspect of their complaint is unclear or should the outcome the resident is seeking also not be clear.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	All complaints are investigated in an impartial manner. Accordingly, any complaints relating to a particular officer will be investigated and responded to by their line manager or a more senior manager. At stage 2 the corporate complaints team investigate complaints to ensure impartiality. These requirements are also stated in the policy and in complaints training to staff.
4.7	<p>The complaint handler must:</p> <ul style="list-style-type: none"> <li>• deal with complaints on their merits</li> <li>• act independently and have an open mind</li> <li>• take measures to address any actual or perceived conflict of interest</li> <li>• consider all information and evidence carefully</li> <li>• keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.</li> </ul>	Yes	All complaint handlers receive relevant training on complaints handling to conform to the points listed. There is also guidance on the Council's intranet pages to reinforce these points to officers. Annual Data Protection training is also a mandatory training requirement for all officers.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	The Council considers any reasonable arrangements agreed by the resident relating to frequency and method of communication and adheres to those methods.
4.12	<p>The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:</p> <ul style="list-style-type: none"> <li>• set out their position</li> <li>• comment on any adverse findings before a final decision is made.</li> </ul>	Yes	Where a complaint is made and a staff member or resident is subject of the complaint, they will be given the opportunity to provide their account of events and provide any comments before a decision is made and a final response is issued. Of course this will be in accordance with any GDPR limitations.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	Escalation timescales are contained within the Council's Complaints Policy.

4.14	A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action. Reasons for declining to escalate a complaint must be clearly set out in a landlord's complaints policy and must be the same as the reasons for not accepting a complaint.	Yes	The Council does not refuse to escalate a complaint through its complaints procedure unless there is a valid reason. Reasons why a complaint may not be escalated is stipulated in the Council's Complaints Policy.
4.15	A full record must be kept of the complaint, any review and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.	Yes	All records of the complaint are logged on the Council's case management system. This includes dates, complaints and responses, relevant correspondence and documentation, any compensation and corrective actions/service improvements and outcomes. Corrective actions and service improvements are separately monitored by the service to ensure actions are carried out. We also record issue types and root causes of complaints.
4.18	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.	Yes	The Council's Vexatious Complaints Policy provides procedures on how to manage unacceptable behaviour from residents and/or their representatives when pursuing a complaint.

### Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic	Yes	The Council always tries to be explicitly clear at the start of the complaint process as to what outcomes are within scope and what may not be achievable.
4.4	A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the resident and whether there are any urgent actions required.	Yes	We do our best to resolve a complaint at the first point of contact. We consider the issues and after full consideration will propose a reasonable solution. Any immediate actions will be taken as soon as possible.
4.5	Landlords should give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord where this is reasonable.	Yes	The Council accept complaints from advocates, a representative or family member as long as consent from the complainant has been provided. Where reasonable they are also able to attend any meetings.
4.8	Where a key issue of a complaint relates to the parties' legal obligations landlords should clearly set out their understanding of the obligations of both parties.	Yes	The Council will clearly set out its understanding of the obligation of both parties and refer to any relevant legislation where available and incorporate legal advice if appropriate.



4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	When communicating with customers, we provide names of officers or contractors only when necessary so that the complainant has a named officer and contact details should they wish to discuss their case. Complaint responses will only mention individual officer names when necessary and where they have had direct involvement with the complainant.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	Where reasonable, officers will keep residents updated with the progress of their investigation. Complainants are informed in advance on the rare occasions when there will be a delay in responding.
4.16	Landlords should seek feedback from residents in relation to the landlord's complaint handling as part of the drive to encourage a positive complaint and learning culture.	Yes	We have Tenant Satisfaction Measures (TSM) surveys in place. We carry out post inspections in relation to some repairs so that feedback can be provided. We also ask at the end of every response for complainants to let us know if they have any remaining concerns.
4.17	Landlords should recognise the impact that being complained about can have on future service delivery. Landlords should ensure that staff are supported and engaged in the complaints process, including the learning that can be gained	Yes	Stage 2 complaint responses and Ombudsman decisions are circulated across the service so that learning can be gained. Staff are also supported and provided with complaints training and assistance on completing corrective actions or service improvements.
4.19	Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.	Yes	Restrictions placed following unacceptable behaviour and managed through the Vexatious Complaints Policy consider the Equality Act 2010 and impact on individual complainants. Only necessary restrictions are applied relating to specific issues. We always allow residents in these circumstances to access Council services more generally. We also have review periods for restrictions.

## Section 5 - Complaint stages

### Mandatory 'must' requirements

#### Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.1	Landlords must respond to the complaint <b><u>within 10 working days</u></b> of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	The Council aims to respond to all Housing Management complaints within 10 working days, where possible. There will be circumstances in which this is not possible, in which case the 20 working day timescale will be applied. Complainants will be advised of the likely response timescale in acknowledgements.
5.5	A complaint response must be sent to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident.	Yes	A complaint response is provided once an investigation has been completed and no later than the maximum timescale outlined in the Complaints Policy. Any actions required following the investigation will be logged with a timescale and tracked until completion.
5.6	Landlords must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	The Council addresses all points raised in the complaint, clearly providing reasons for decisions and referencing any relevant law/good practice.
5.8	Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: <ul style="list-style-type: none"> <li>• the complaint stage</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> <li>• details of how to escalate the matter to stage two if the resident is not satisfied with the answer</li> </ul>	Yes	The Council follows the points provided in all Stage 1 complaint responses. The Council has a template available for officers to use so that all the points are addressed.

## Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two of the landlord's procedure, unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.	Yes	All stage 1 complaints inform complainants that if they remain dissatisfied, they can escalate their complaint and details are provided of how they can do this. Where an exclusion ground applies, the complainant will still receive a formal response explaining the reasons as to why we will not escalate and be provided with the Ombudsman details should they wish to escalate.
5.10	On receipt of the escalation request, landlords must set out their understanding of issues outstanding and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	Yes	As part of the investigation the officer will ask for clarification or further details to establish any outstanding issues and desired outcomes if required.
5.11	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.	Yes	Complaints are only escalated to stage 2 once a stage 1 response has been issued and at the request of the complainant. But we reserve the right to take it straight to the final stage if we think that is the best way forward in a particular case.
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	All stage 2 responses are investigated by the Corporate Complaints team who are independent of the service area and officer who has responded at stage 1. Corporate directors or the Chief Executive review and sign off stage 2 complaints. If they are unavailable due to leave, this is delegated to a director to approve and sign off.
5.13	Landlords must respond to the stage two complaint <b>within 20 working days</b> of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	The Council aims to respond to all stage 2 Housing Management complaints within 20 working days, where possible. There will be circumstances in which this is not possible, in which case the 30 working day timescale will be applied. Complainants will be advised of the likely response timescale in acknowledgements.

5.16	<p>Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:</p> <ul style="list-style-type: none"> <li>• the complaint stage</li> <li>• the complaint definition</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> </ul> <p><b>and</b></p> <ul style="list-style-type: none"> <li>• if the landlord has a third stage, details of how to escalate the matter to stage three</li> <li>• if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.</li> </ul>	Yes	At the completion of a stage 2 investigation, a response is issued which includes the points stated. The response includes a summary of the complaint, a chronology of any relevant events, the decision and reasons for it. It also includes any actions and learning with timescales for implementation and a reasonable remedy which may include compensation.
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### Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.17	Two stage landlord complaint procedures are ideal. This ensures that the complaint process is not unduly long. If landlords strongly believe a third stage is necessary, they must set out their reasons for this as part of their self-assessment. A process with more than three stages is not acceptable under any circumstances.	Yes	The Council operates a two stage complaint process.
5.20	<p>Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language:</p> <ul style="list-style-type: none"> <li>• the complaint stage</li> <li>• the complaint definition</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> <li>• details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied</li> </ul>	N/A	The Council operates a two stage process.

## Best practice 'should' requirements

### Stage

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.2	If an extension beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	Yes	Where the Council requires more time to investigate the issues and provide a response, this is agreed with the resident.
5.3	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	Yes	If the resident is unhappy with the extension period and we are unable to agree a timescale, Ombudsman details will be provided and the Council will continue with its investigation and provide a response as soon as possible.
5.4	Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident.	Yes	Where there is a recurring issue, the Council will review the relevant history and provide a remedy on all available evidence.
5.7	Where residents raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.	Yes	Where additional complaints are raised during the investigation, these will be incorporated if relevant and if the response has not yet been issued. If the issues require significant time to be looked into and would delay the response, a new complaint will be logged or new timescale will be agreed with both parties.

## Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.14	If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	Yes	If any extension is required to respond to the complaint fully, this is agreed by both parties.
5.15	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response	Yes	Where an agreement cannot be reached, Ombudsman details will be provided and the Council will continue with its investigation and provide a response as soon as possible.

## Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint <b>within 20 working days</b> of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.	N/A	The Council operates a two stage process.
5.19	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	N/A	The Council operates a two stage process.

## Section 6 - Putting things right

### Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.1	Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right.	Yes	The Council will always try to resolve the issues as soon as possible. If the Council is at fault, it will accept fault, offer an apology and provide a plan of action to put things right if the issues have not yet been resolved.
6.2	Any remedy offered must reflect the extent of any service failures and the level of detriment caused to the resident as a result. A landlord must carefully manage the expectations of residents and not promise anything that cannot be delivered or would cause unfairness to other residents.	Yes	The Council follows the remedy guidance provided by the Housing Ombudsman. All remedies are considered on their own merit and in line with published guidelines. The Council will try its best to manage expectations of what can and cannot be delivered.
6.5	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.	Yes	Any actions to be taken to remedy fault will be explained and clear timescales will be provided. Corrective actions will be monitored and tracked to completion.
6.6	In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused.	Yes	The Council follows the Housing Ombudsman guidance on compensation and considers payments that are required by law, any refunds/losses, time/trouble, distress and inconvenience.

### Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.3	Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.	Yes	The Council will always try to learn lessons from complaints and implement any service improvements to benefit residents.
6.7	In some cases, a resident may have a legal entitlement to redress. The landlord should still offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.	Yes	The Council does liaise with its legal department where there may be a legal entitlement to redress so that a reasonable offer of redress is provided.

## Section 7 - Continuous learning and improvement

### Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.2	Accountability and transparency are integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.	Yes	<p>Learning from complaints is included in the Council's Annual Complaints Report which goes to Cabinet and is considered at scrutiny committees. If some of the recommendations include training needs or reminders to staff, senior managers will communicate this. Residents are informed in complaints responses of any service improvements that will be implemented as a result of their complaint.</p> <p>Under the new tenant engagement strategy and model there is a clear commitment to respect for resident feedback and how this is not only implemented in the service but positive change is communicated back to the resident. Examples include: A tenant and leasehold led review of complaint responses min once per year, include learning from trends in our complaints in tenant targeted comms and when reviewing policies use complaints as a form of insight.</p> <p>To effectively embed a culture of respect for resident feedback, the service responsible for engagement will carry out training and briefings with individual teams and a quality management system will be linked to the new strategy to measure impact and identify gaps in practice.</p>



### Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.3	A member of the governing body should be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This role will be responsible for ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance.	Yes	The Deputy Leader has complaints within their portfolio. Complaints are reported quarterly to the Council's Management Team (CMT) and annually to Cabinet, Policy Co-ordination Group (PCG) and Scrutiny.
7.4	<p>As a minimum, governing bodies should receive:</p> <ul style="list-style-type: none"> <li>• Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders</li> <li>• Regular reviews of issues and trends arising from complaint handling,</li> <li>• The annual performance report produced by the Ombudsman, where applicable</li> <li>• Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.</li> </ul>	Yes	<p>Information relating to complaints is provided quarterly to CMT which includes: Volumes, Performance, Outcomes, Compensation, Root Causes, and Ombudsman Cases.</p> <p>All Ombudsman decisions are circulated to Corporate Directors, Directors, Heads of Service and officers involved with the complaint when the decision is received. The upheld Final Decisions are also circulated to the Chief Executive, the Leader, and Deputy Leader as portfolio holder. A summary of the upheld cases are also included in the Council's annual report. The self-assessment the Council undertakes in relation to the Housing Ombudsman Code will be included in the Council's annual complaints report if there have been any significant changes.</p>

7.5	Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.	Yes	Themes and trends are highlighted to senior management and corrective actions are issued to service areas to complete. Any learning is passed to officers and contractors and service improvements are implemented such as change in policy, etc.
7.6	Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to: <ul style="list-style-type: none"> <li>• have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments</li> <li>• take collective responsibility for any shortfalls identified through complaints rather than blaming others</li> <li>• act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing.</li> </ul>	Yes	The Council works collaboratively with teams across departments to achieve a joined up approach to complaints. Council services collectively take responsibility and identify solutions to make things right.

## Section 8 - Self-assessment and compliance

### Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
8.1	Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.	Yes	The Council carries out a self-assessment of the code on a yearly basis.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	The Council will carry out a self-assessment if there have been significant changes.
8.3	Following each self-assessment, a landlord must: <ul style="list-style-type: none"> <li>• report the outcome of their self-assessment to their governing body. In the case of local authorities, self-assessment outcomes should be reported to elected members</li> <li>• publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents</li> <li>• include the self-assessment in their annual report section on complaints handling performance</li> </ul>	Yes	The outcome of the self-assessment is reported to elected members. It is also published on the Council's website and included in the Annual Report.