

HOUSING MANAGEMENT ADVISORY BOARD – 7th September 2022

Report of the Head of Landlord Services

ITEM 5 SELF-ASSESSMENT OF OUR COMPLAINTS POLICY AND PROCEDURES AGAINST THE HOUSING OMBUDSMAN'S COMPLAINT HANDLING CODE

1. PURPOSE OF REPORT

To present the board with the outcome of the landlord service's self-assessment of its complaints policy and procedures against the Housing Ombudsman's requirements and criteria as set out in its complaints handling code.

2. ACTION REQUESTED

The board is requested to note and invited to comment upon the self-assessment.

3. BACKGROUND

3.1 In 2020 the Housing Ombudsman service published a code on how social housing landlords should handle complaints made about its services. All social housing landlords are now required to carry out and publish an annual self-assessment on how their complaints policy and procedures meet the code. A copy of the council's complaints policy can be found by following this link: [Complaints policy - Charnwood Borough Council](#) and [Complaints Process - Charnwood Borough Council](#) for its complaints process.

3.2 The creation of the complaints handling code was contained originally in the government's white paper on social housing, first published in November 2020. After a revision in the code early in 2022, social landlords have until October 2022 to become fully compliant.

3.3 The complaints handling code acts as a guide for tenants, setting out what they can expect from their landlord when they complain. It also provides tenants with information on how to make a complaint and how to, if desired, make progress with it through the landlord's internal complaints process.

3.4 The complaint handling code has in it some key areas including having a universal definition of a complaint, creating a positive complaint-handling culture, taking action to put things right and having appropriate remedies available.

3.5 The code is divided into eight sections as follows:

- Section 1: Definition of a complaint
- Section 2: Accessibility and awareness
- Section 3: Complaint-handling personnel
- Section 4: Complaint-handling principles
- Section 5: Complaint stages (these are further divided into the individual stages and are referred in the code as stages 1, 2 and 3 rather than our own stages of 0, 1 and 2)
- Section 6: Putting things right;

Section 7: Continuous learning and improvement
 Section 8: Self-assessment and compliance

Each section is divided further into two sub-sections: elements that are mandatory and elements that are discretionary but highly recommended. Put simply, they are the 'must do' and the 'should do'.

- 3.6 The landlord service carried out the self-assessment in August 2022.
- 3.7 Presenting this report to HMAB, publishing it on the council's website and putting an article about the self-assessment in the residents' magazine, *Your Homes Matter* will fulfil our obligation to publish the self-assessment under this code.
- 3.8 A copy of the ombudsman's code can be found through this link: <https://www.housing-ombudsman.org.uk/wp-content/uploads/2022/03/Complaint-Handling-Code-Published-March-2022-1-1.pdf>

4. SELF-ASSESSMENT OUTCOME

4.1 A summary of the outcome of our self-assessment is set out in the table below:

Section	No. mandatory criteria	Outcome		No. discretionary criteria	Outcome	
1	6	Compliant	6	2	Compliant	2
		Partially-complaint	0		Partially-complaint	0
		Non-compliant	0		Non-compliant	0
2	7	Compliant	7	1	Compliant	1
		Partially-complaint	0		Partially-complaint	0
		Non-compliant	0		Non-compliant	0
3	2	Compliant	2	1	Compliant	1
		Partially-complaint	0		Partially-complaint	0
		Non-compliant	0		Non-compliant	0
4	10	Compliant	8	9	Compliant	9
		Partially-complaint	2		Partially-complaint	0
		Non-compliant	0		Non-compliant	0
5 (1)	4	Compliant	2	4	Compliant	4
		Partially-complaint	2		Partially-complaint	0
		Non-compliant	0		Non-compliant	0
5 (2)	6	Compliant	6	2	Compliant	1
		Partially-complaint	0		Partially-complaint	0
		Non-compliant	0		Non-compliant	1
5 (3)	2	Compliant	2	2	Compliant	2
		Partially-complaint	0		Partially-complaint	0
		Non-compliant	0		Non-compliant	0
6	4	Compliant	4	2	Compliant	2

		Partially-complaint	0		Partially-complaint	0
		Non-compliant	0		Non-compliant	0
7	1	Compliant	1	4	Compliant	4
		Partially-complaint	0		Partially-complaint	0
		Non-compliant	0		Non-compliant	0
8	3	Compliant	3	0	Compliant	-
		Partially-complaint	0		Partially-complaint	-
		Non-compliant	0		Non-compliant	-

In conclusion, therefore:

Mandatory requirements

Compliant	41	91.1 %
Partially compliant	4	8.9 %
Non-compliant	0	0.0 %

Discretionary/Advisory requirements

Compliant	26	96.3 %
Partially compliant	0	0.0 %
Non-compliant	1	3.7 %

Overall

Compliant	67	93.1 %
Partially compliant	4	5.6 %
Non-compliant	1	1.3%

- 4.2 For the purpose of brevity, we have, overleaf, detailed only on the partially and non-compliant assessments and our comments on the compliance status and those compliant criteria where we feel we can make even greater improvements. The full assessment can be found in appendix A to the report.

A. Partially-compliant assessments

Code section	Code requirement	Evidence, commentary and any explanations
<p>4.1 (Mandatory)</p>	<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 within five days of receipt.</p>	<p>Stage 0 is an informal process; however, more than 90% of complaints are successfully resolved at stage 0. Our 'stage 0' is not a 'pre-complaint' stage: it is treated as a complaint from the outset.</p> <p>Depending on the severity of the complaint, it may be added to at stage 1.</p> <p>In terms of an audit trail of the complaint there is scope to improve in certain areas of the landlord service.</p> <p>System improvements are being considered and our new online process acknowledges at all levels.</p> <p>Acknowledgements are issued immediately.</p>
<p>4.11 (Mandatory)</p>	<p>Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication</p>	<p>This happens when requests are received.</p> <p>There is scope for improvement in the consistency of communications across the landlord service</p>
<p>5.1 (Mandatory)</p>	<p>Landlords must respond to the complaint within 10 working days 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.</p>	<p>Please refer to our performance data in the quarterly performance packs included in HMAB agendas four times a year and included in this meeting's agenda.</p>

<p>5.5 (Mandatory)</p>	<p>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.</p>	<p>Training will cover this change in practices</p>
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B. Non-compliant assessment

<p>5.15 (Advisory)</p>	<p>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</p>	<p>This will require a change in our operational procedures and working practices.</p>
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4.3 While assessed as fully compliant, there are some areas where we nevertheless plan to make further changes and improvements, namely:

<p>Code section</p>	<p>Code requirement</p>	<p>Evidence, commentary and any explanations</p>
<p>1.2 (Mandatory)</p>	<p>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></p>	<p>If our policy definition is not identical a simple policy wording amendment will be straightforward.</p> <p>The corporate complaints team will amend the policy wording</p>

<p>2.1 (Mandatory)</p>	<p>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.</p>	<p>Current changes will account for this requirement. Further developments of our digital channel will take place in the future.</p>
<p>2.6 (Mandatory)</p>	<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>	<p>The corporate complaints team will add a link to the policy web page for the complaint handling code.</p> <p>The landlord services manager will write an article in Your Homes Matter</p>
<p>4.16 (Advisory)</p>	<p>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.</p>	<p>Consideration is being given to taking feedback.</p> <p>The last policy review included a working group of residents that had been through the complaints process</p>

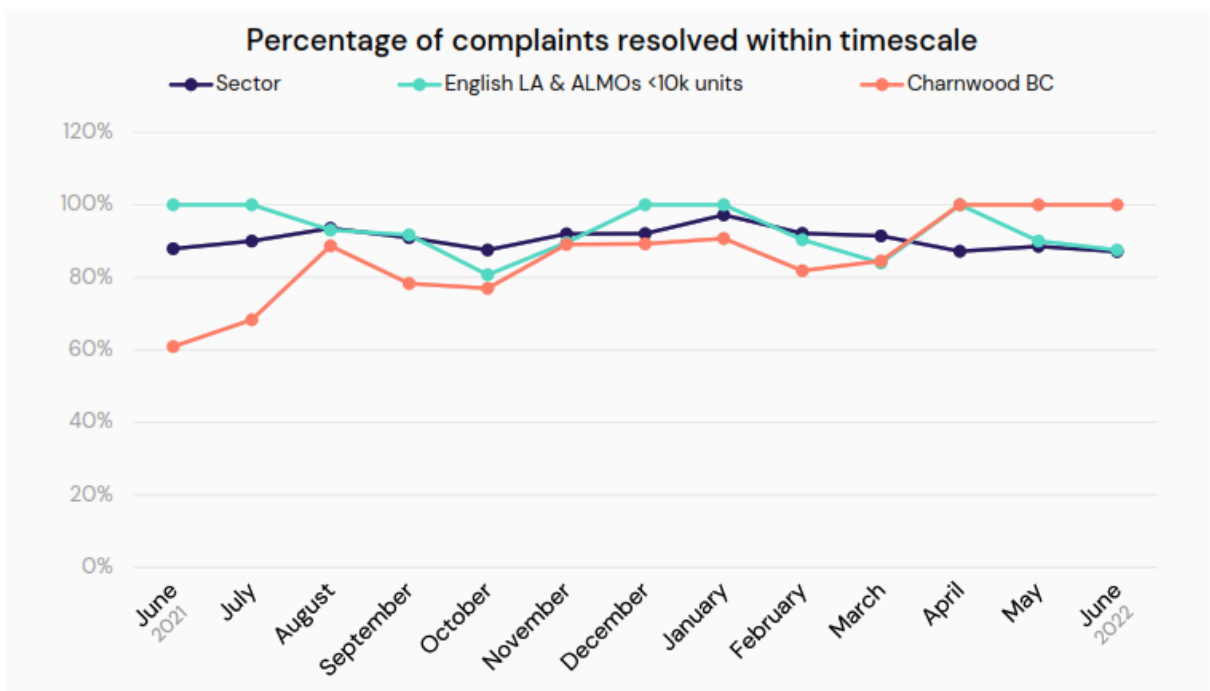
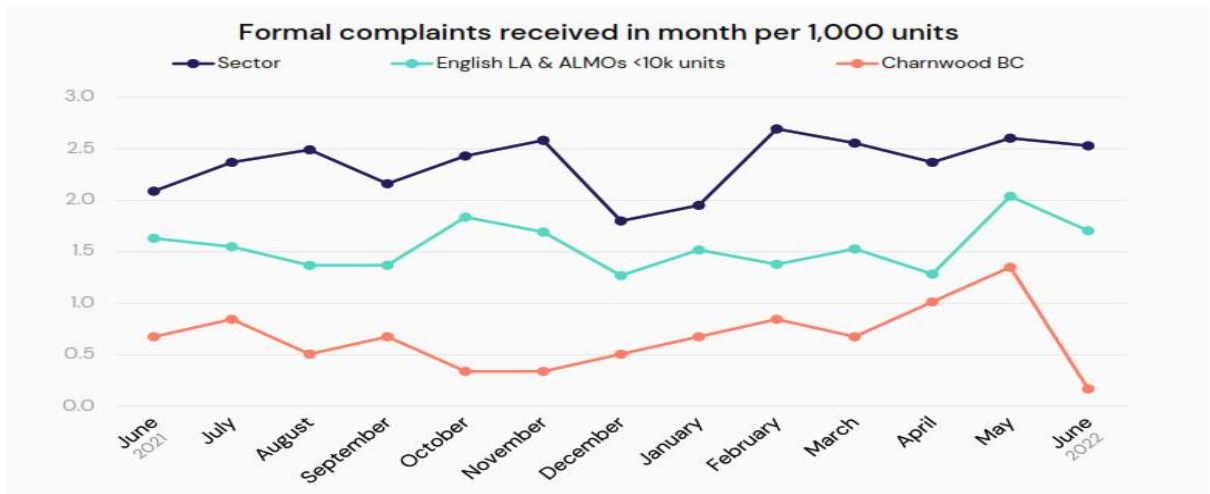
5. MONITORING AND BENCHMARKING OUR PERFORMANCE

- 5.1 In addition to the quarterly performance report to HMAB where complaints form part of the performance pack, managers within the landlord service receive monthly, more-detailed reports on complaints performance, including progress on action agreed in the wake of an upheld complaint and where practice or procedures will be changed.
- 5.2 As members of the national, sector-wide benchmarking organisation, HouseMark, we submit regular performance information on a very wide range of landlord service performance measures, including complaints handling. Performance summaries are released every month. Two complaints-handling measures are reported:
- Formal complaints received per 1,000 units; and
 - Percentage of complaints resolved within timescale

Pasted overleaf is the latest July 2022 at the time of writing this report) HouseMark complaints benchmarking information, the results of which shows the council in a favourable position in comparison with other organisations:

Detailed performance

Customer experience



6. CONCLUSION

Our self-assessment concludes that we are at an overall compliance of over 93% and are only non-compliant on one measure; and that is an advisory rather a mandatory one. We will take action on the partially-compliant and non-compliant criteria in order that, by October 2022, we will be fully compliant both on the mandatory and the advisory criteria.

7. Recommendation

HMAB members are requested to note and are invited to comment upon this self-assessment.

Andrew Staton
Landlord Services Manager

11 August 2022

Appendix A: CBC landlord service complaints handling code self-assessment

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 I - 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	If our policy definition is not identical a simple policy wording amendment will be straightforward. Russell Clarke will amend the policy wording
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	Practice allows for this already
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	Ack letters do this
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	Policy provides examples of complaints and those that fall outside of policy

<p>1.8</p>	<p>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.</p>	<p>Yes</p>	<p>Policy established</p>
<p>1.9</p>	<p>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.</p>	<p>Yes</p>	<p>Established practice</p>

Best practice ‘should’ requirements

<p>Code section</p>	<p>Code requirement</p>	<p>Comply: Yes/No</p>	<p>Evidence, commentary and any explanations</p>
<p>1.4</p>	<p>Landlords should recognise the difference between a service request, where a resident may be unhappy with a situation that they wish to have rectified, and a complaint about the service they have/have not received.</p>	<p>Yes</p>	<p>Established practice and regular complaints training</p>
<p>1.5</p>	<p>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.</p>	<p>Yes</p>	<p>Established process</p>

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	Current changes will account for this requirement. Further development of digital channel
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	Recently changed from PDF to web pages
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	Established
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	Policy links into equality, translation and alternative formats
2.6	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.	Yes	The corporate complaints team will add a link to the policy web page for the complaint handling code. The landlord services manager will write an article in Your Homes Matter

2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	Established practice
2.8	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.	Yes	Link to policy in template responses

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	Established process in place

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	Established link officer in place
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	All staff involved in complaint handling receive training, stage 2 are handled outside the service by an independent officer.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.3	Complaint handlers should: <ul style="list-style-type: none"> • be able to act sensitively and fairly • be trained to handle complaints and deal with distressed and upset residents • have access to staff at all levels to facilitate quick resolution of complaints • have the authority and autonomy to act to resolve disputes quickly and fairly. 	Yes	Established practice

Section 4 - Complaint handling principles

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.1	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 within five days of receipt .	Partial	<p>Stage 0 is an informal process; however, more than 90% of complaints are successfully resolved at stage 0. Our 'stage 0' is not a 'pre-complaint' stage: it is treated as a complaint from the outset.</p> <p>Depending on the severity of the complaint, it may be added to at stage 1.</p> <p>In terms of an audit trail of the complaint there is scope to improve in certain areas of the landlord service.</p> <p>System improvements are being considered and our new online process acknowledges at all levels.</p> <p>Acknowledgements are issued immediately.</p>

Appendix A: CBC landlord service complaints handling code self-assessment

<p>4.2</p>	<p>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.</p>	<p>Yes</p>	<p>This will be a follow up letter as the online process provides the acknowledgement. Online form seeks to understand the resolution the customer is wanting</p>
<p>4.6</p>	<p>A complaint investigation must be conducted in an impartial manner.</p>	<p>Yes</p>	<p>Established process</p>
<p>4.7</p>	<p>The complaint handler must:</p> <ul style="list-style-type: none"> • deal with complaints on their merits • act independently and have an open mind • take measures to address any actual or perceived conflict of interest • consider all information and evidence carefully • • keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter. 	<p>Yes</p>	<p>Training covers all aspects of complaint handling.</p>
<p>4.11</p>	<p>Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication</p>	<p>Partial</p>	<p>Where requests are received. Consistency of comms may need improvement. Response times monitored</p>
<p>4.12</p>	<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"> • set out their position • comment on any adverse findings before a final decision is made. 	<p>Yes</p>	<p>Complaint about a resident will not be managed via the complaints policy as it is not a service the council has delivered or failed to deliver. Staff members who are the subject of a complaint will be interviewed as part of the investigation process</p>

4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	Established within the policy and practice
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	Established within the policy and practice
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	Established within the policy and practice
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	Established within the policy and practice. Vexatious policy exists.

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	Training covers this
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	Stage 0 statistics demonstrate this happens
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	Policy – "Who can make a complaint"

Appendix A: CBC landlord service complaints handling code self-assessment

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	Established practice – covered in training
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	Generally this will not happen unless the context of the response requires it. All details disclosed comply with GDPR
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	Established practice and covered in training
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	Consideration is being given to taking feedback. The last policy review included a working group of residents that had been through the complaints process
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	Established practices within L/L services to review complaints and outcomes.
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	Vexatious policy

Section 5 - Complaint stages

Mandatory 'must' requirements

Stage I

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.1	Landlords must respond to the complaint <u>within 10 working days</u> 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.	Partial	Please refer to performance data
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.	Partial	Training will cover this change in practices

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	Established within the policy and 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"> the complaint stage the decision on the complaint the reasons for any decisions made the details of any remedy offered to put things right details of any outstanding actions details of how to escalate the matter to stage two if the resident is not satisfied with the answer 	Yes	Established within the policy and practice and covered within training

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	Established within the policy and practice
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	Established within the policy and practice
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	Established within the policy and practice
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	Established within the policy and practice
5.13	Landlords must respond to the stage two complaint within 20 working days 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	Established within the policy and practice
5.16	Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language: <ul style="list-style-type: none"> • the complaint stage • the complaint definition • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions and	Yes	Established within the policy and practice

	<ul style="list-style-type: none"> • if the landlord has a third stage, details of how to escalate the matter to stage three • if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied. 		
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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	Evidence confirms stage 0 has a good success rate of more than 90% for resolving complaints.
5.20	Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language: <ul style="list-style-type: none"> • the complaint stage • the complaint definition • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions • details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied 	Yes	Established within the policy and practice

Best practice 'should' requirements

Stage 1

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	Established within the policy and practice

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	Established within the policy and practice
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	Established within the policy and practice
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	Established within the policy and practice

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	Established within the policy and practice
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	No	This will require a change in our operational procedures and working practices.

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 within 20 working days 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.	Yes	Established within the policy and practice. Extensions are sought due to complexity and capacity where necessary, always with the complainant's consent

Appendix A: CBC landlord service complaints handling code self-assessment

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.	Yes	Established within the policy and practice
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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	Established within the policy and practice
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	Established within the policy and practice
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	Established within the policy and practice Where practically possible, follow up letters may be issued
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	Established within the policy and practice

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	Established within the policy and practice
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	Established within the policy and practice

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	Established within the policy and practice RC reports to SLT, performance managed at scrutiny. HMAB receives data, articles and reports

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	Established team and link officer
7.4	As a minimum, governing bodies should receive: <ul style="list-style-type: none"> Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders Regular reviews of issues and trends arising from complaint handling, The annual performance report produced by the Ombudsman, where applicable 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. 	Yes	Established practice

<p>7.5</p>	<p>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.</p>	<p>Yes</p>	<p>Established report monitoring</p>
<p>7.6</p>	<p>Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:</p> <ul style="list-style-type: none"> • have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments • take collective responsibility for any shortfalls identified through complaints rather than blaming others • act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing. 	<p>Yes</p>	<p>Established practice</p>

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	Established practice following the introduction of this requirement
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	Established within the policy and practice
8.3	<p>Following each self-assessment, a landlord must:</p> <ul style="list-style-type: none"> 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 publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents include the self-assessment in their annual report section on complaints handling performance 	Yes	Established practice