

## Self-Assessment Form

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   |
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| 1.2          | A complaint must be defined as:<br><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            | We have recently reviewed our Customer Feedback Policy and adopted the Housing Ombudsman's definition of a complaint.   |
| 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            | <p>In order to allow customers to define when a matter is a complaint, we have added the following paragraph to our Customer Feedback Policy.</p> <p><i>"Either the customer or the council can decide to deal with a matter as a complaint. However, customers sometimes use the term "complaint" to report problems or raise issues. Where these don't meet the definition of a complaint above, these should be dealt with as service requests."</i></p> <p>This helps to deal with residents who, for example, might want to "complain" about noise from a neighbouring property. Such a "complaint" wouldn't meet the standard definition of a complaint so would be dealt with as a service request even though the customer has defined it as a complaint.</p> <p>Requests for Service:<br/><i>"If an issue can be dealt with quickly, and the customer satisfied, there is no need to carry out an investigation. Such issues, which include simple requests for service, such as reporting a missed bin collection or an unmown verge, should not be processed through the formal complaints system so long as the person receiving the feedback is able to provide an assurance of action or information that satisfies the customer there is a recording</i></p> |

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|     |  |     | <p><i>system to enable the number and subject matter of such issues or requests for service to be quantified”.</i></p> <p>The Customer Feedback Policy also states “Complaints can be submitted by any resident or business, or any other individual or organisation who has had any relevant interaction with the council. If they choose, complainants may also ask a friend, relative or other advocate to submit a complaint on their behalf. In these circumstances we will normally expect to see a signed authorisation to deal with the advocate”.</p>   |
| 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 | Our Customer Feedback Policy states “A complaint does not have to be identified as a complaint. As long as it meets the definition of a complaint it should be treated as one, however it was received”.   |
| 1.7 | A landlord must accept a complaint unless there is a valid reason not to do so.  | Yes | Our Customer Feedback Policy clearly states the circumstances in which complaints will not be accepted.  |
| 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 | <p>Our Customer Feedback Policy states:</p> <p>“There are some matters that we will not investigate under this policy. More guidance may be found on some of these matters elsewhere in this policy:</p> <ul style="list-style-type: none"> <li>• Service requests</li> <li>• Matters that are not the responsibility of the council.</li> <li>• Complaints against members</li> <li>• Complaints from MPs</li> <li>• Matters where we have received an insurance claim</li> <li>• Matters subject to legal action</li> <li>• Where there is a statutory procedure or right of appeal through an alternative process</li> <li>• Where the persistent contact/vexatious complaints procedure has been invoked.</li> <li>• We will not normally accept anonymous complaints. However, we may choose to accept an anonymous complaint, for example if the matter is serious and the complainant has a clear reason to remain anonymous”.</li> </ul> |

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| 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 | Our Customer Feedback Policy states:<br>"Where we decide 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. This does not apply to service requests. If the persistent contact policy is in force or for matters that are not the responsibility of the council." |
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#### Best practice 'should' requirements

| Code section | Code requirement  | Comply: Yes/No | Evidence, commentary and any explanations   |
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| 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            | This is identified within the Complaints Procedure as detailed above.   |
| 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.                   | No             | We are working to establish a programme of regular resident's surveys and will incorporate how to pursue comments of dissatisfaction. |

#### Section 2 - Accessibility and awareness

##### Mandatory 'must' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 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 | <p>Our Customer Feedback Policy states “We should expect to receive complaints via any channel”.</p> <p>Our website states, under the heading How to Complain, Comment or pay us a Compliment” – Please contact us and tell us how we have done. You may do this in person, by telephone, by letter or using the form below.</p>  |
| 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.  |     | <p>Our Customer Feedback options can be found using the following link: <a href="https://rugby.gov.uk/complaints">https://rugby.gov.uk/complaints</a></p> <p>The Customer Feedback Policy details the number of stages and timescales involved. It can be provided in different formats upon request.</p> <p>It can also be found via our website and via google searches.</p> <p>There will also be a link on the landing page of the tenant portal when it launches in the Autumn.</p>  |
| 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 | <p>Our Customer Feedback options can be found using the following link: <a href="https://rugby.gov.uk/complaints">https://rugby.gov.uk/complaints</a></p> <p>It can also be found via our website and via google searches.</p> <p>There will also be a link on the landing page of the tenant portal when it launches in the Autumn</p>   |
| 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 | <p>As part of our review of the Customer Feedback Policy, we have completed an Equality Impact Assessment (link to main doc)</p> <p>This runs alongside Rugby Borough Council's Equality, Diversity &amp; Inclusion Policy Statement <a href="file:///rugby.internal/shares/homedrives/barlom/Downloads/Equality_Diversity_and_Inclusion_Policy_Statement_June_2020_%20(3).pdf">file:///rugby.internal/shares/homedrives/barlom/Downloads/Equality_Diversity_and_Inclusion_Policy_Statement_June_2020_%20(3).pdf</a></p> <p>Our Customer Feedback Policy states: “Any remedy offered must also consider the Duty to make reasonable adjustments for people with disabilities as per section 20, 21 and 22 of the Equality Act 2010”.</p> <p>Our corporate induction has a half day training course for all employees on Equality and Diversity.</p> |

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| 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 availability of the Housing Ombudsman is included in the latest version of the Tenant Handbook and will be included in all new additions of the Tenants Newsletter. We have added leaflets and posters to communal areas within our housing stock and in our reception area at the Town Hall. |
| 2.7 | Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.  | Yes | The availability of the Housing Ombudsman is included in the latest version of the Tenant Handbook and features in every Tenant Newsletter. We will be sending out a leaflet with each quarterly rent statement in the future.  |
| 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 | This advice is contained in the complaint response acknowledgement letter and is also contained in the Customer Feedback Policy which is published on our website.  |

#### Best practice 'should' requirements

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations  |
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| 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            | Our Customer Feedback Policy states "We should expect to receive complaints via any channel. However, where a complaint has been received on social media it will normally be appropriate to refer the resident to the complaints form on the website, where all of the details including any sensitive information can be submitted. We should not ask customers to provide sensitive information or personal details via social media" |

#### Section 3 - Complaint handling personnel Mandatory 'must' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 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 | Our Communications Team take responsibility for complaint handling. They will assign the complaint to the relevant officer and have oversight of where complaint is in system.<br><br>Complaints are reported on as part of wider key performance indicators. A quarterly report is submitted to full Council. Complaint trends are also examined by the Audit & Ethics Committee. |
| 3.2 | ...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.  | Yes | Our Housing Services Manager, who oversees complaints has completed the Housing Ombudsman’s e-learning on Dispute Resolution and applying Dispute Resolution<br><br>Any complaint investigator is expected to declare a conflict of interest if one becomes apparent. If this happens and alternative investigating officer will be appointed.                                     |

**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"> <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</li> </ul> | Yes            | See comments above re training. Our Communications Team will allocate complaints to those appropriate considering authority & autonomy levels. |
|              | <ul style="list-style-type: none"> <li>• resolution of complaints</li> <li>• have the authority and autonomy to act to resolve disputes quickly and fairly.</li> </ul>   |                |  |

**Section 4 - Complaint handling principles**

**Mandatory ‘must’ requirements**

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 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. | Yes | Complaints are acknowledged within five days of receipt. Our Customer Feedback Policy only has two stages. Our records are available for further examination if required.   |
| 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 | Our acknowledgment letters include a summary of our understanding of a customer's complaint and any outcomes requested in the complaint   |
| 4.6 | A complaint investigation must be conducted in an impartial manner.  | Yes | At Stage One the investigation will be carried out by a person not implicated in the original complaint. At stage two a Chief Officer must ensure that they are able to carry out an objective review of the complaint. If they were involved in the first stage response or could be perceived to have a conflict of interest, they should arrange for an alternate Chief Officer to determine the appeal. |

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| 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 | This wording has been adopted into our revised Customer Feedback Policy.   |
| 4.11 | Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication   | Yes | Details on frequency of communication is held within the Customer Feedback Policy. When submitting a feedback form, the residents is asked how they wish to be contacted.  |
| 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 | <p>Residents are able to give details of their complaint in the complaint form. If further details are needed, Council staff will make contact with the resident.</p> <p>If subject to a complaint, staff will be given the opportunity to comment on the complaint.</p> <p>The stage two process gives tenants chance to have a say. The level one is our initial decision but if tenants are unhappy with this, they can appeal to a second stage.</p> |
| 4.13 | A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint  | Yes | Our Customer Feedback Policy states: "Where a complainant is dissatisfied with the outcome of the investigation of a complaint, they can appeal to the Chief Officer of the relevant service. They should do this within three months of receiving the response to their initial complaint. An appeal should be responded to within fifteen working days.  |
| 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 | We would not refuse to escalate a complaint in any circumstances.  |



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| 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 | Records are kept by the Communications Team and are available for inspection by the Ombudsman if required.                       |
| 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 | Rugby Borough Council has a Persistent Contact Policy and a Potentially Violent Persons procedure. These are internal documents. |

#### Best practice 'should' requirements

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations  |
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| 4.3          | Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic  | Yes            | Our new complaints form asks for residents expectations when they make a complaint. This will be addressed with the resident during the initial investigation if those expectations are considered to be unreasonable or unrealistic.  |
| 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            | The Ombudsmans wording is now included in our Customer Feedback Policy.  |
| 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            | Complaints can be submitted by any resident or business, or any other individual or organisation who has had any relevant interaction with the council.<br><br>If they choose, complainants may also ask a friend, relative or other advocate to submit a complaint on their behalf. In these circumstances we will normally expect to see a signed authorisation to deal with the advocate. |
| 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            | <b>Complaint about matters which are the subject of current legal action</b><br><br>When legal action about the specific subject of a complaint is in progress, the court should be allowed to resolve the matter and the complaint should not be investigated as a formal complaint.<br><br>When such complaints are received, the Communications Team will write to the complainant        |

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|      |  |     | explaining this and stating that the complainant may submit a formal complaint after the court action if he or she is still not satisfied with the Council's actions or inaction. This does not mean that no action at all must be taken regarding the complaint. Sometimes, complaints contain new information that the Council would want to take into account. The Communications Team should therefore give details of the complaint to the Chief Officer or service manager of the service which is the subject of the complaint.  |
| 4.9  | Communication with the resident should not generally identify individual members of staff or contractors.  | Yes | Our communications do not generally identify individual members of staff or contractors. Records are available for inspection by the Ombudsman if required.   |
| 4.10 | Landlords should keep residents regularly updated about the progress of the investigation.   | Yes | We have implemented a new system allows residents to track their complaint online.  |
| 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  | No  | We do not currently do this but are hoping to start in the near future as part of our increased tenant involvement offer.   |
|      | learning culture.  |     |   |
| 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 | <p>Our Customer Feedback Policy states - "The purpose of feedback is to ensure each service learns from both complaints and comments".</p> <p>Reports can be produced from the case management system to help assist managers and service providers to amend or develop processes, procedures and policies where necessary in order to reduce the likelihood of similar complaints being made</p> <p>The Communications Team submits a regular report to Management Team Meetings to reflect trends in complaints data.</p> <p>The Homes &amp; Communities Team is committed to looking at lesson learnt when complaints are received about their services.</p> |

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| 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 | <p>Our Persistent Complainants Policy reflects this. It states:</p> <p>The decision to designate someone's behaviour as unreasonable, and restrict their access to you, could have serious consequences for the individual. So, you should be satisfied that:</p> <ul style="list-style-type: none"> <li>• The matter is being or has been investigated properly;</li> <li>• Any decision reached is the right one;</li> <li>• We have taken account of any special circumstances, including considering making reasonable adjustments where relevant;</li> <li>• Communications with the individual or group have been adequate, and;</li> <li>• The individual or group is not now providing any significant new information that might affect the council's view on the case.</li> <li>• When it is necessary to designate the individual or group as behaving unreasonably, some of the following steps may assist.</li> <li>• Offering the individual or group a meeting with an officer of appropriate seniority to explore scope for a resolution and explain why their current behaviour is seen as unreasonable. <ul style="list-style-type: none"> <li>• Sharing this procedure with the individual or group and warning them that restrictive actions may need to be applied if their behaviour continues.</li> <li>• Setting up a strategy meeting to agree a cross-departmental approach.</li> <li>• Appointing a key officer to coordinate the organisation's response(s).</li> <li>• Helping the individual or group to find a suitable independent advocate especially if they have particular needs.</li> </ul> </li> </ul> |
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**Section 5 - Complaint stages**

**Mandatory 'must' requirements Stage 1**

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 5.1 | Landlords must respond to the complaint <b>within 10 working days</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 | Our Customer Feedback Policy requires a response to the complaint within fifteen working days. We have recently amended this so that housing complaints will be responded to within ten days as per the requirements of the Ombudsman. |
| 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 response is sent as soon as the outcome of the complaint is known.   |
| 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 | Complaint responses are written by the appropriate manager. The responses are sent to the Communications Team to quality check before they are sent to Customers.  |
| 5.8 | Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language:   | Yes | Our standard letter sets out the points needed to respond to the complaint and has been amended to make clear which stage the complaint is at.   |
|     | <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> |     |  |

## Stage 2

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 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 | We will always escalate a complaint at the request of the complainant, unless we feel the complaint requires early attention from Ombudsman, in which case we will refer to the Ombudsman ourselves. |
| 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 | This is covered in escalation request. We would still request further clarification 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 | We will only open a stage two investigation once the stage one investigation has been concluded and if we receive an appeal from the complainant.  |
| 5.12 | The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.   | Yes | Where a complainant is dissatisfied with the outcome of the investigation of a complaint, they can appeal to the Chief Officer of the relevant service.  |
| 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 | We will respond to a Stage Two complaint within fifteen working days.  |

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| 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 <b>and</b></li> <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 | <p>At the conclusion of a stage two complaint, we will write to the complainant to confirm:</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 <b>and</b> 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> <p>We do not have a third stage.</p> |
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### Stage 3

| Code section | Code requirement   | Comply: Yes/No | Evidence, commentary and any explanations                      |
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| 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            | We do not offer a stage three to our Customer Feedback Policy. |
| 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> </ul>  | N/A            | We do not offer a stage three.                                 |
|              | <ul style="list-style-type: none"> <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> </ul>   |                |  |

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|  | <ul style="list-style-type: none"> <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> |  |  |
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### Best practice 'should' requirements Stage 1

| Code section | Code requirement  | Comply: Yes/No | Evidence, commentary and any explanations  |
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| 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            | Our Customer Feedback Policy states "Where it is evident that a target time will not be met, the complainant should be kept up to date and given a timescale as to when they can expect a response. For complaints relating to a tenancy, if the complainant does not accept the revised timescale, they should be given the contact details of the Housing Ombudsman so that the resident can challenge our plan for responding should they choose to do so".   |
| 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            | See above  |
| 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            | When investigating complaints, we will consider all information available to us including, if applicable, older reports of issues.   |
| 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            | <p>Our Complaint Policy states "Where a complainant follows up a complaint with previously unmentioned matters that are within the general broad scope of the original complaint, they may be dealt with as part of the original complaint. It is not necessary to register a new complaint. In such cases the timescale for final reply may need to be extended.</p> <p>The addition of new matters at the appeal stage (see Section 3) does not mean that the investigation has to start again. However, the new matters should be taken into account in investigating the appeal.</p> |

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|  |  |  | In the case of both follow-up and repeat complaints, action should be taken immediately to respond within the Council's established policies and service standards to any requests for service being made. |
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### 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            | Our Customer Feedback Policy gives <b>maximum</b> response times in working days for replies to be posted, counted from the date on which the Council first receives the complaint. It states "If it becomes evident that these will not be met, the complainant should be advised <b>before</b> the time limit is reached".<br><br>If an extension is required, this will be communicated to the complainant and they will be given the opportunity to object. If they object to an extension and there are no other options to resolve the situation in a more timely manner, the complainant will be referred to the Ombudsman. |
| 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            | Our Customer Feedback Policy states "Where it is evident that a target time will not be met, the complainant should be kept up to date and given a timescale as to when they can expect a response. For complaints relating to a tenancy, if the complainant does not accept the revised timescale, they should be given the contact details of the Housing Ombudsman so that the resident can challenge our plan for responding should they choose to do so."   |

### Stage 3

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 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 | We do not have a third stage to our Complaints Policy. |
| 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 | We do not have a third stage to our Complaints Policy. |

### 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            | As part of our complaints response, we will acknowledge this and make proposals to remedy the situation.   |
| 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            | <p>Our Complaints policy states:</p> <p>Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong, we must acknowledge this and set out the actions we have already taken, or intend to take, to put things right.</p> <p>Any remedy offered must also consider the Duty to make reasonable adjustments for people with disabilities as per section 20, 21 and 22 of the Equality Act 2010.</p> <p>Any remedy offered must reflect the extent of any service failures and the level of detriment caused to the resident as a result. We must carefully manage the expectations of residents and not promise anything that cannot be delivered or would cause unfairness to other residents.</p> |

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|     |   |     | Any remedy proposed should aim to put things right for the resident. This will normally mean providing a service, amending a policy, and/or apologising. Sometimes, however, it will be appropriate to offer compensation. |
| 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 | Our complaints policy mirrors the wording used by the Ombudsman in committing to remedies.   |
| 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 | Our complaints policy mirrors the wording used by the Ombudsman with regards to awarding compensation.   |

#### 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 Communities and Homes department carry out lessons learned clinics where appropriate and put into practice any recommendations. |
| 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            | Our Complaints Policy states "Legal Services must be contacted for advice if the resident has a legal right to redress"             |

#### Section 7 - Continuous learning and improvement

##### Mandatory 'must' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 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 | Our last Annual Report stated: “We received 112 compliments in the past year; We also received 101 complaints during the same period. We welcome any feedback you can provide to us which will help us to improve our services for all our residents via any of our communication channels.” |
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**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            | Cllr Emma Crane, portfolio holder for Communities & Homes and Digital & Communications, has responsibility for complaints.  |
| 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.</li> <li>• The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.</li> </ul> | Yes            | <p>Full Council and our Audit and Scrutiny Committee receive our complaints key performance indicator data.</p> <p>We will put forward our self assessment for scrutiny &amp; challenge</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            | This is completed by the Communications Team and discussed by the Leadership Team   |

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| 7.6 | <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"> <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> | No | <p>Whilst we would always encourage complaint handling to include the areas listed by the Ombudsman, we do not currently have an appraisal process where such objectives would naturally sit.</p> <p>Relevant complaints can be looked at individually as part of the one to one process, or by teams in team meetings.</p> |
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### 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            | Our self-assessment will be published on our website by 1 <sup>st</sup> October 2022 at the latest and will be diarised for annual review.  |
| 8.2          | Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.   | Yes            | There have been no significant restructures or changes in procedures but if this happens, the code will be updated.   |
| 8.3          | <p>Following each self-assessment, a landlord must:</p> <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            | <p>We will report the outcome of our self assessment to members as soon as possible.</p> <p>We will publish the assessment on our website by 1<sup>st</sup> October 2022</p> <p>It will be included in future annual reports.</p> |