

Housing Ombudsman Complaints Code 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
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 Housing Ombudsman's mandatory definition of a complaint is used in the association's complaints policy (section 2.1)
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	The association's policy states that the word complaint does not have to be used (section 2.2); and that complaints can be made by someone acting on behalf of the complainant (sections 3.7 and 3.8)
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	Sections 2.1 and 2.2 of our complaints process cover this requirement and include guidance about when dissatisfaction with our response to a service request should be dealt with as a complaint.
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	Only those complaints relating to a matter that we are not responsible for, or are part of an ongoing legal process, are not accepted (policy sections 3.25-3.27)

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 circumstances in which a complaint will not be accepted are set out in sections 3.25-3.27 of our policy.
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	Section 3.27 of our complaints policy states that an explanation will be provided and advice given about the right to challenge this decision via the Housing Ombudsman.

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 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.	Yes	Our policy and procedure distinguish between a service request and a complaint. The procedure includes guidance about when dissatisfaction with our response to a service request should be dealt with as a complaint.
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	If a resident is still dissatisfied, they are advised that their complaint can be escalated or, if they have completed our complaints process, how they can contact a designated person and/or Ombudsman (sections 3.23 & 3.30 of policy)

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	Our policy, customer information leaflet, and website clearly state that complaints can be made verbally in person or by telephone, or in writing by letter, email, via our website or social media.
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	Details are shown on our website, in a customer information leaflet, and published in our newsletter. A translation panel on the back of our leaflets explains the availability of other formats.
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	A copy of our policy and process is shown under the 'Policies' tab on our website; and the How to Complain customer information leaflet is included on the 'Customer Leaflets' tab
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	Our complaints policy includes details on the explanation of the reasonable adjustments that we can offer and how these are publicised (sections 3.8 & 3.9 of the policy). Staff receive training on equality and diversity, complaints, and customer services that is appropriate to their role.
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 complaints policy and process, and the Housing Ombudsman scheme is publicised in customer information leaflets, on our website, in our newsletter, in letters to residents, and posters. A copy of this self-assessment is published on our website.

2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	Information about the Housing Ombudsman service is included in the letters sent to residents
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	Advice about residents' right to access the Housing Ombudsman service is included in letters sent to the resident, from the initial acknowledgement letter onwards.

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	Section 3.14 of our policy states the steps that will be taken to maintain confidentiality and privacy when responding to complaints received via social media.

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	Section 5.1 of our policy states that, "The Director of Customer Services will act as the 'Complaints Officer' with responsibility for ensuring that complaints are dealt with in accordance with this policy.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	Managers and Directors handle and respond to complaints. They have the skills, experience and authority to resolve complaints quickly and fairly.

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	Managers and Directors have these skills, experience and authority.

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 .	Yes	Our complaints process only has two stages; we aim to acknowledge complaints within two working days of receipt; and discussions with residents on how they would like their complaint to be resolved are confirmed in the response letter sent (policy sections 3.12, 3.13, 3.15 & 3.17).

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 complaints process includes template letters to be used by those handling complaints. The acknowledgment letter includes a summary of the resident's complaint and how the resident would like it to be resolved.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	Managers and Directors have the skills and experience to investigate complaints in an impartial manner
4.7	The complaint handler must: <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. 	Yes	Managers and Directors have the skills and experience to deal with complaints in accordance with these requirements
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	We aim to respond to complaints within 10 working days at stage 1 and within 20 working days at stage 2. If we are unable to do so we will inform complainants and agree a new timescale with them (policy section 3.21).
4.12	The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to: <ul style="list-style-type: none"> • set out their position • comment on any adverse findings before a final decision is made. 	Yes	We aim to make personal contact with the resident so that we hear the complaint from their point of view, ensure that we fully understand their complaint; and to discuss and attempt to resolve the complaint (policy section 3.17). Our complaints policy also states that a member of staff who is the subject of a complaint will be given the same opportunity to set out their point of view and comment on the complaint and findings (section 3.18)

4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	Residents are asked to let us know within 20 working days if they are dissatisfied with our 1 st stage response (section 3.21).
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	Our policy states that the only reasons that we will not deal with a complaint are if it is about matters that we are not responsible for and we will direct the resident to the right organisation, or if it is part of an ongoing legal process, or if the residents repeatedly changes the substance of their complaint or raises unrelated concerns. The reason(s) will be explained to the resident and that they have the right to challenge this decision by contacting the Housing Ombudsman (sections 3.25-3.27).
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	A log of complaints is maintained; and records are kept of all contact with the resident, copies of all correspondence, reports and surveys.
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	Our complaints policy includes details on managing unacceptable behaviour (section 4).

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	Managers and Directors have the skills and experience to manage residents' expectations (procedure section 3.12).
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 aim to resolve complaints at the earliest opportunity (policy section 1.3).
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	Our policy clearly states that we accept complaints from someone acting on behalf of a resident (sections 3.7 – 3.10).
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	Section 3.21 of our policy confirms that this will be included in the association's response

4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	Our complaints process states that, "individual members of staff or contractors will not usually be identified because their actions are undertaken on behalf of the association."
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	If we are unable to respond within the stated timescales, we will inform complainants and agree a new timescale with them (policy section 3.20).
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	Arrangements for seeking feedback are set out in section 3.30 of our policy.
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	We encourage staff to view complaints as an opportunity to improve services.
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	Section 4 of our policy recognises that unreasonable behaviour may be caused by a vulnerability or disability and we will consider reasonable adjustments such as using different methods of contact or support from an appropriate agency.

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 <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.	Yes	Our policy (section 3.20) and procedure include the timescales specified in the Code
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	Our complaints process is clear that a response will be sent within the target timescales and include details of any action to be taken; and outstanding actions will be monitored (procedure section 3.14)

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 template used for response letters includes all of these requirements.
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	The template used for response letters includes all of these requirements.

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	Section 3.30 of our complaints policy states that, "If a complainant expresses dissatisfaction with the outcome of their complaint, it will be escalated to the next stage".
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	The template used for acknowledgment letters includes a summary of the resident's complaint and how the resident would like it to be resolved.
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	Our policy (section 3.30) and process state that complaints will only be escalated at the request of the resident.

5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	At stage one complaints are considered by a Manager, and at stage two complaints are considered by a Director (policy section 3.12).
5.13	Landlords must respond to the stage two complaint <u>within 20 working days</u> 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	Our policy (sections 3.12 & 3.20) and procedure include the timescales specified in the Code
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 <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. 	Yes	The template used for response letters includes all of these requirements. Our complaints process does not have a third stage.

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	Our complaints process has only two stages (policy section 3.12).

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 	Not applicable	Not applicable – our complaints process does not have a third stage.
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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	This is included in our complaints policy (section 3.20) and process
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	Our policy (section 3.20) and process to include this requirement.
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	This requirement is included in our complaints process.
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	Our policy (section 3.19) and process include this requirement.

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	This is stated within our policy (section 3.20) and process.
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	This requirement is included in our complaints policy (section 3.20) and process.

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 <u>within 20 working days</u> 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.	Not applicable	Not applicable, our complaints process does not have a third stage
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.	Not applicable	Not applicable, our complaints process does not have a third stage

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	Section 3.21 of our policy states that our response will include an acknowledgement of anything that has gone wrong and any action to put things right.
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	Section 3.22 of our policy states that the action will reflect the extent of any service failure and detriment to the complainant; and our process states that we will carefully manage expectations and will not promise anything that cannot be delivered or would cause unfairness to other residents.
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	Section 3.21 of our policy states that our response will include the action to be taken; and our process states that we will continue to monitor that any actions promised in response to the complaint are completed within the timescale and to the standard promised.
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 Disturbance and Compensation policy has been amended to include this requirement.

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	Section 3.22 of our policy states that the action taken may include changing our policies, procedures and practices
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 process (section 3.11) includes this requirement.

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	Details on complaints and improvements made as a result of these, are reported to residents in our annual report and newsletter; and to staff and board members in an annual report on complaints

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 Chair of the board was appointed, at the board meeting held on 30.06.22, to have lead responsibility for complaints.
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	The board receives an annual report on complaints, which includes these requirements, plus the annual self-assessment against the Complaint Handling Code, and a quarterly report on performance.

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 or trends are assessed as part of the annual report on complaints
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"> • 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. 	Yes	This objective has been included in the annual objectives for all members of staff.

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	Self-assessments were completed in December 2020, December 2021 (approved by the board on 2 March 2022), and June 2022
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	A self-assessment will be carried out in these circumstances.
8.3	Following each self-assessment, a landlord must: <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	Self-assessments have been reported to the board for approval, and published on our website.