Appendix B – 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

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| **Code section** | **Code requirement** | **Comply:****Yes/No** | **Evidence, commentary and any explanations** |
| **1.2** | A complaint must be defined as:‘*an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents*. | Yes | The Housing Ombudsman’s definition of a complaint is published on the Lewisham Homes (LH) website and included within the Complaints policy and procedure. |
| **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 | This is included within the Complaints policy and procedure documents and reinforced through regular communications with staff. |
| **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 | All complaints are centrally logged by the Customer Relations team (CRT), with regular communications to officers to remind them to forward cases to CRT for logging as a complaint and the five-day timescale for doing so. |
| **1.7** | A landlord must accept a complaint unless there is a valid reason not to do so. | Yes | The Complaints policy sets out the exceptions where LH is unable to consider matters as complaints for handling under this policy. CRT is available to support officers in assessing individual cases i.e. whether they meet the Ombudsman’s definition of a complaint and the appropriate course of action to be taken. |
| **1.8** | A complaints policy must clearly set out the circumstances in which a matter will not be considered, and these circumstances should be fair and reasonable to residents. | Yes | The Complaints policy sets out the exceptions where LH is unable to consider matters as complaints for handling under the 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 | The Complaints policy states that LH will never unreasonably refuse to accept or escalate a complaint through all stages of the Complaints procedure. Where this is the case, clear and valid reasons forthe decision will always be given to the resident, including their right to contact the Ombudsman if unhappy or requiring additional guidance and support. |

## Best practice ‘should’ requirements

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| **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 | All reports of dissatisfaction are logged centrally by CRT to provide a consistent approach. This enables initial service requests to be identified where the ‘issue’ could be resolved more swiftly without the need for a formal complaint. If reports are received by operational teams directly and officers are unsure, CRT is available to provide advice on the best way of progressing individual cases. Failure to subsequently deal with any ‘issue’ will result in it being escalated to a formal complaint for handling under the Complaints policy. |
| **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 | The outsourced provider of satisfaction surveys has been briefed on the different ways of making a complaint to LH. The company uses a flagging system to pass any serious concerns identified while undertaking the survey with residents for action by the relevant service area.  |

# Section 2 - Accessibility and awareness

## Mandatory ‘must’ requirements

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| **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 | The website, Complaints policy and procedure all state the various ways of making a complaint, including an online form and face-to-face with any LH officer. |
| **2.3** | Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the number of stages involved, what will happen at each stage and the timeframes for responding.  | Yes | The Complaints policy was reviewed in 2022 to reflect the requirements of the updated Complaint Handling Code, including details of the stages, escalation process and timescales for responding. The Resident Scrutiny Committee were involved in the review of the policy to ensure it would be clear to residents, and all feedback was incorporated into the final version. The policy is available on the LH website, which also includes an outline of the complaints process, stages/ timescales, as well as a Complaints Factsheet. |
| **2.4** | Landlord websites, if they exist, must include information on how to raise a complaint. The complaints policy and process must be easy to find on the website. | Yes | The LH website contains the Complaints policy which can be downloaded and is easily located when searching on ‘complaint’. The website also has a Complaints Factsheet, which clearly explains the process, stages and timescales for responses. The website also clarifies a resident’s right to contact the Housing Ombudsman at any stage of the complaints process for guidance and support.  |
| **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 | An Equality Analysis Assessment (EAA) was completed as part of the review of the Complaints policy in 2022 to identify any negative impacts – none were identified. The Complaints process is designed to be accessible, with several different ways of making a complaint to prevent barriers to accessing the service. All officers must take an annual mandatory Equalities e-learning module to keep their knowledge up to date.  |
| **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 | Information on complaints and the role of the Housing Ombudsman is available on the LH website, and through regular communications to officers and newsletters to residents. All complaint acknowledgement letters include the Ombudsman’s details and the resident’s right to make contact them at any stage of the process – this is reiterated in the final complaint response letters. |
| **2.7** | Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents. | Yes | The complaint response checklist drafted to help officers respond to complaints effectively includes the requirement to include the Ombudsman’s contact details. It specifies the complainant’s right to contact the Ombudsman at any point of the complaints process i.e. the process does not have to be exhausted before doing so. This information is also repeated on the LH website and within the Complaints policy and procedure. The initial complaint acknowledgement also includes the Ombudsman’s contact details. |
| **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 | The complaint response checklist drafted to help officers respond to complaints includes the requirement to include the Ombudsman’s contact details, and the complainant’s right to contact the Ombudsman at any point of the complaints process. This information is also repeated on the LH website, within the Complaints policy and procedure and initial complaint acknowledgement. |

## Best practice ‘should’ requirements

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| **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 | The Complaints policy explains that complaints made via social media will be directed to the appropriate contact/online form or passed to the relevant team for action. To protect the complainant’s privacy, they are asked only to send information they want to be kept private via direct message, for example their address and telephone number. |

# Section 3 - Complaint handling personnel

## Mandatory ‘must’ requirements

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| **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 | CRT is responsible for administering the complaints process for LH i.e. logging, allocating and monitoring all cases. In addition, a specialist Repairs Complaints team responds to complaints to the Property Services directorate, but the process and responses are also monitored by CRT. Complaints performance is reported to every quarterly Service & Performance Committee meeting made up of Board members and involved residents. An annual report on complaints is sent to the Board for information (including the self-assessment against the Complaint Handling Code) and shared with residents via the LH website. |
| **3.2** | …the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest. | Yes | CRT’s dedicated role is to focus on complaints and enquiries and support officers to ensure they have the necessary skills required. CRT is not linked to operational service areas and, therefore, there is no conflict of interest when allocating complaints. When allocating complaints, the appointed officer will never be the subject of the complaint to retain impartiality. All LH officers have been trained in complaint handling, with sessions offered on the updated Ombudsman’s Code, use of the complaints module (iCase) and drafting good quality complaint responses. |

## Best practice ‘should’ requirements

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| **Code section** | **Code requirement** | **Comply:****Yes/No** | **Evidence, commentary and any explanations** |
| **3.3** | Complaint handlers should: * be able to act sensitively and fairly
* be trained to handle complaints and deal with distressed and upset residents
* have access to officers at all levels to facilitate quick resolution of complaints
* have the authority and autonomy to act to resolve disputes quickly and fairly.
 | Yes | CRT and the Repairs Complaints team are all trained to work on a range of complaint-related matters. Escalation and reporting processes are in place to ensure that complaints are responded to on time and senior managers are kept updated with performance and any areas of concern. |

# Section 4 - Complaint handling principles

**Mandatory ‘must’ requirements**

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| **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 | ’Pre-complaint stage’ is the title of the ‘issues’ stage in iCase but is for internal tracking/monitoring only. This stage is used to register issues which can be quickly rectified without the need for the formal complaints process, but allows for areas of improvement to be identified. The target of five days for logging/ acknowledging complaints is included within the Complaints policy and procedure. |
| **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 | The majority of complaints are received via email or the online form accessible from the LH website which allows residents to explain their issue in their own words. Where clarification is needed, CRT or the Investigating Officer will contact the resident for further details, which is included with the guidance notes to help officers deal with complaints effectively. The Complaints procedure also stresses the importance of understanding how the resident would like their complaint to be resolved from the outset to manage expectations and/or swiftly deliver resolutions. |
| **4.6** | A complaint investigation must be conducted in an impartial manner. | Yes | Any officer who is the subject of the complaint will not undertake the complaint investigation to ensure impartiality. However, they will be interviewed as part of the process to provide the opportunity to set out their position and comment on any adverse findings before the final decision is made. |
| **4.7** | The complaint handler must: * 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 | All complaints and enquiries are logged on iCase, a secure system, by CRT. All officers are trained in the principles of GDPR and undertake annual refresher training. The Information Governance and Data Protection Officer is also available for guidance and support if needed. CRT regularly attend operational team meetings to speak about complaints and the best way of handling them. |
| **4.11** | Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication | Yes | CRT ensures that all reasonable requests for frequency and method of communication are noted and followed. The Complaints procedure and guidance also includes the requirement to communicate in the resident’s preferred method, ensuring the timescales are met. |
| **4.12** | The resident, and if applicable any officers member who is the subject of the complaint, must also be given a fair chance to: * set out their position
* comment on any adverse findings before a final decision is made.
 | Yes | Any officer who is the subject of the complaint will not undertake the complaint investigation to ensure impartiality. However, they will be interviewed as part of the process to provide the opportunity to explain their involvement in the case before the final decision is made. |
| **4.13** | A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint | Yes | The Complaints policy states that complainants should let CRT know within 20 working days from the date of the final response letter if they wish to escalate their complaint to the next stage of the process. |
| **4.14** | A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action. Reasons for declining to escalate a complaint must be clearly set out in a landlord’s complaints policy and must be the same as the reasons for not accepting a complaint. | Yes | The Complaints policy sets out the circumstances where it is not the appropriate mechanism for addressing some issues. However, LH will never unreasonably refuse to accept or escalate a complaint through all stages of the Complaints procedure. Where this is the case, clear and valid reasons for the decision will be provided, together with the resident’s right to take that decision to be taken to the Housing Ombudsman.  |
| **4.15** | A full record must be kept of the complaint, any review and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.  | Yes | All records, communication and notes are stored on iCase, the secure system used to monitor/track complaints and enquiries. |
| **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 | LH has a policy on managing unreasonable behaviour, which is currently being reviewed. This is also covered within the Complaints policy, so LH’s approach is clear from the outset. |

## Best practice ‘should’ requirements

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| **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 | Officers are encouraged to contact the complainant at the start of their investigation to understand the outcome being sought and manage appropriately. There may be alternative resolutions where the desired outcome is unrealistic or unreasonable.  |
| **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 | More effort is being placed on resolving ‘issues’ before they escalate to the formal Complaints procedure. Where this cannot be achieved, LH aims to resolve complaints at the earliest possible stage. |
| **4.5** | Landlords should give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord where this is reasonable.  | Yes | The Complaints policy sets out the complainant’s right to be represented when making a complaint. LH will always follow data protection measures when disclosing information to a third party and advised that the response times may need to be adjusted where additional time is needed to carry out appropriate checks. |
| **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 | This is included with the guidance produced for officers to ensure that their responses comply with the Housing Ombudsman’s Complaint Handling Code. |
| **4.9** | Communication with the resident should not generally identify individual members of officers or contractors. | Yes | This is included with the guidance produced for officers to ensure that their responses comply with the Housing Ombudsman’s Complaint Handling Code. The guidance explains that officers and contractors are acting on behalf of LH. |
| **4.10** | Landlords should keep residents regularly updated about the progress of the investigation. | Yes | This is included with the guidance produced for officers to ensure that the keep the complainant updated, particularly where there may be a delay. |
| **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 | Feedback on the complaints service is carried out by an external research company. This data collected is regularly reported to the Executive Leadership team and Board. Additional ‘perception’ feedback will be collected from April 2023 to comply with the requirements of the Tenant Satisfaction Measures. |
| **4.17** | Landlords should recognise the impact that being complained about can have on future service delivery. Landlords should ensure that officers are supported and engaged in the complaints process, including the learning that can be gained | Yes | The information collected from complaints is an invaluable tool to identify where services are not meeting residents’ expectations. Analysis of the themes and trends highlights priorities for services and where best to apply resources. Training is offered to officers on the Housing Ombudsman’s Complaint Handling Code, use of iCase the complaint management system and drafting good quality response letters. |
| **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 | Any restrictions are applied on a case-by-case basis, and only used as a last resort. A guidance on dealing with unacceptable behaviour is in place and included within the Complaints policy. A project looking at the support and guidance available for officers is also in progress.  |

# Section 5 - Complaint stages

## Mandatory ‘must’ requirements

## Stage 1

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| **Code section** | **Code requirement** | **Comply:****Yes/No** | **Evidence, commentary and any explanations** |
| **5.1** | 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.  | Yes | The Complaints policy and procedure includes the 10 working days response target, which is automatically generated by iCase when logging a new case. When the Investigating Officer is unable to keep to the timeframe, they are responsible for keeping the complainant updated. The Complaints policy, procedure and guidance notes state that any extension should not exceed a further 10 working days without good reason. |
| **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 | This is included within the Complaints procedure and guidance for complaint handlers so they understand when the response must be sent and the timeframes to work to. |
| **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 | This is included within the Complaints procedure, guidance produced for complaint handlers and complaint response checklist.  |
| **5.8** | Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: * 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 | This is included within the Complaints procedure, guidance produced for complaint handlers and complaint response checklist. |

## Stage 2

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| --- | --- | --- | --- |
| **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 | The Complaints policy explains that LH will never unreasonably refuse to accept or escalate a complaint through all stages of the Complaints procedure. Where this is the case, LH will always provide clear and valid reasons forthis decision and the right to take that decision to be taken to the Housing Ombudsman. The policy also sets out the matters that will not be handled as complaints for the avoidance of doubt i.e. a service request, report of ASB about a neighbour. |
| **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 included within the Complaints policy and the guidance produced for complaint handlers to ensure they understand the issues being complained about from the outset and the resolutions being sought. |
| **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 | This is included within the Complaints guidance and overseen by CRT. |
| **5.12** | The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one. | Yes | This requirement is stipulated within the Complaints procedure, together with the requirement that the officer handling stage 2 of the Complaints procedure is senior to the one who investigated the complaint at stage 1. CRT is responsible for allocating complaints at all stages and will ensure this requirement is complied with. |
| **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 | The timescale for responding to stage 2 complaints is included within all documentation, including the maximum extension and keeping the complainant updated. |
| **5.16** | Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language: * 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** * 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 | This is included within the Complaints procedure, guidance for officers and the response checklist. |

## Stage 3

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| **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 | As a wholly owned subsidiary of Lewisham Council (LBL), LH adopts the same Complaints procedure which includes a third stage. This is referral to LBL’s Stage 3 Adjudicator who will consider the case afresh and inform complainants of their right to contact the Housing Ombudsman for guidance and support. |
| **5.20** | Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language: * 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 | Stage 3 complaints are handled by LBL’s Stage 3 Adjudicator who also works to the Housing Ombudsman’s Complaint Handling Code. |

## Best practice ‘should’ requirements

## Stage 1

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| **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 within the Complaints procedure and guidance for complaint handlers as good practice. Complaint handlers are asked to provide the complainant with an updated timeframe and keep them regularly updated with progress of their investigation. |
| **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 | All communication with complainants includes the right to contact the Housing Ombudsman at any stage of the complaints process and includes the Ombudsman’s contact details. This would include the circumstances where the complainant wishes to challenge the timeliness of the response to their complaint. |
| **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 | The Investigating Officer will consider older complaints where relevant to the current complaint to gain a full understanding of the issues being experienced. This is included within the guidance notes produced for complaint handlers, as well as the Complaints procedure. |
| **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 | The Complaints procedure sets out the requirement to incorporate new complaints into the existing stage 1 response where they are relevant and would not cause a delay in sending the initial response. Where this is the case, CRT will log the new complaint on iCase for investigation and response.  |

## Stage 2

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| **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 included within the Complaints procedure and guidance for complaint handlers as good practice. Complaint handlers are asked to provide the complainant with an updated timeframe and keep them regularly updated with progress of their investigation. |
| **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 | All communication with complainants includes the right to contact the Housing Ombudsman at any stage of the complaints process and includes the Ombudsman’s contact details. This would include the circumstances where the complainant wishes to challenge the timeliness of the response to their complaint. |

## Stage 3

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| --- | --- | --- | --- |
| **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 | Stage 3 of the complaints process is administered by LBL’s Stage 3 Adjudicator who works to the 20 working days timescale set by the Ombudsman. |
| **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 | All communication with complainants includes the right to contact the Housing Ombudsman at any stage of the process and includes contact details. This information is also provided by LBL’s Stage 3 Adjudicator in their communications. |

# Section 6 - Putting things right

## Mandatory ‘must’ requirements

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| **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 | This is included within the Complaints policy and procedure, as well as the guidance available to complaint handling officers. The Compensation, Remedies and Reimbursement policy and procedure also details the different options of readdress that can be considered. |
| **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 | This is included within the Complaints policy and procedure, as well as the guidance available to complaint handling officers. The Compensation, Remedies and Reimbursements policy and procedure also details the different options of readdress available and calculating financial compensation to provide a consistent and fair approach.  |
| **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 | Remedies offered are recorded on iCase, the complaints management module, to ensure they are tracked by the Investigating Officer as required under the Complaints policy. Remedies recommended at stage 3 of the complaints process and the Housing Ombudsman are tracked by the relevant Head of Service to ensure they are followed through to completion. |
| **6.6** | In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused. | Yes | This is included within the Compensation, Remedies and Reimbursements policy and procedure to provide a consistent and fair approach to awarding financial compensation. |

## Best practice ‘should’ requirements

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| **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 outcome of the meetings with Heads of Service to discuss complaints and the learning from them is regularly reported to the Executive Leadership team and the Service & Performance Committee. Updates on the lessons learnt from complaints are included in the annual complaints report produced for residents and published on the LH website. Examples of how feedback from residents has been used to improve service will be published on the website Q1 2023/24. |
| **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 | Legal advice is available to all officers through LH’s membership of the Housing Association Legal Alliance (HALA) framework. Legal advice is always sought as and when required. |

# Section 7 - Continuous learning and improvement

**Mandatory ‘must’ requirements**

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| **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, officers and scrutiny panels.  | Yes | Lessons learnt from complaints are recorded following quarterly meetings with Heads of Service. The Lessons Learnt register, which includes service improvements made as a result of the complaints received, is reported to the Board via the Service & Performance Committee. Examples of how feedback from residents has been used to improve service will be published on the website Q1 2023/24. |

**Best practice ‘should’ requirements**

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| --- | --- | --- | --- |
| **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 | Two Board Members have been appointed as leads for complaints, and have drafted communications for Heads of Service and officers to support effective complaint handling. The Lead Board Members for Complaints also have regular meetings with the managers responsible for the complaints service to monitor performance, understand any challenges and provide input from the Board. |
| **7.4** | As a minimum, governing bodies should receive:* 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 | Quarterly reports on the complaints service are received by the Service & Performance Committee to comply with this requirement. The Lead Board Members for Complaints also meets regularly with the Interim Head of Governance & Assurance to discuss any specific cases, challenges and highlight any additional/specific information related to complaints the Committee would like to receive. |
| **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 officers and contractor training.  | Yes | A process for capturing the lessons learnt from complaints is in place with Heads of Service, including identifying any policies/procedures needing to be reviewed. Feedback from residents via the complaints process is also used to manage contractor performance and shared/discussed at regular contract management meetings. The Lessons Learnt Register is reported to the Executive Leadership team and the Board via the Service & Performance Committee. Examples of how feedback from residents has been used to improve service will be published on the LH website in Q1 2023/24. |
| **7.6** | Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:* 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 | All officers involved in complaint handling have objectives to effectively handle their casework, with directors having performance targets set for their areas of responsibility. |

# Section 8 - Self-assessment and compliance

## Mandatory ‘must’ requirements

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| **Code section** | **Code requirement** | **Comply:****Yes/No** | **Evidence, commentary and any explanations** |
| **8.1** | Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.  | Yes | The self-assessment is carried out on an annual basis to provide assurance to residents, the Executive Leadership team and the Board that the complaints service remains compliant with the requirements of the Ombudsman’s Complaint Handling Code. |
| **8.2** | Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.  | Yes | The self-assessment will be repeated in Q3 2023/24 following the handback of LH to LBL as this will constitute a ‘significant restructure’. |
| **8.3** | Following each self-assessment, a landlord must: * 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 | The self-assessment against the Complaint Handling Code is carried out on an annual basis. The outcome is reported to the Executive Leadership team, the Board/Service & Performance Committee and published on the LH website for transparency. An annual report is produced on the LH complaints service and handling performance, which is published on the website for residents’ information and includes reference to the self-assessment document. |