



H4W's Self-Assessment against the Ombudsman's Complaint Handling Code

[Self-Assessment against the Complaint Handling Code September 2022](#)

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.

Please Note: The references to Policy throughout the column titles 'Evidence' should be read as covering policy and procedure.

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	Adopted in 2020 Complaints Policy
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	Adopted in 2020 Complaints Policy.
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	Adopted in 2020 Complaints Policy.
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	Included in the 2020 policy but enhanced. See 1.8 below.
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 revised complaint policy has added further examples of complaints that would not be considered.
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 previous policy explained that we would not address certain complaints but did not require a detailed explanation to be provided, or that the resident can refer the decision to the Ombudsman. This has been addressed by the revised policy.

Best practice 'should' requirements

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	This is emphasised in the revised policy and training / briefing materials.
-----	--	-----	---

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.	N/A	The quarterly opinion surveys are not linked to specific service requests.
<p style="color: #0070C0; margin: 0;">Section 2 - Accessibility and awareness</p> <p>Mandatory 'must' requirements</p>			
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 the potential channels, there must be more than one route of access into the complaints system.	Yes	<p>Email Tenant portal Via the website Letter Telephone</p> <p>Overall, our assessment is that while we comply with the requirements of Section 2, we are conscious that we need consider offering a wider range of services, such as complaints reporting, via our social media channels.</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.	Yes	The form will need some minor changes once the revised policy is approved. Information on assistance to complete the form will be included.
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	This already in place. Some amendments will be needed in line with changes resulting from the revised Policy.
2.5	<p>Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs.</p> <p>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</p>	Yes	Our solicitors advised on the first draft and an Equality Impact Assessment has been conducted. A section on the Equality Act will be added into the final procedure document.
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 Website and newsletter are the two main channels used to communicate with residents. Updates to the website content are needed.

2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	All letters to residents relating to their logged complaint include information on the Ombudsman Service, as does the website and (in future) every copy of Connect.
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 wasn't emphasised previously in our policy but has been addressed in the revised version.
Best practice 'should' requirements			
	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 judgment here is that we broadly comply. Those residents who prefer or are more likely to use social media platforms such as Facebook to communicate, can't currently access the same structured format on our Facebook page to complain as is available on our website. This will be addressed once resources allow.
Section 3 - Complaint handling personnel			
Mandatory 'must' requirements			
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	We have a lead Officer (our Complaints Officer), responsible for coordinating the complaints process, problem solving and reporting. Managing specific complaints will be the responsibility of line managers and relevant ET members.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	This is addressed in the job role of our Complaints Officer.
Best practice 'should' requirements			
3.3	Complaint handlers should: <ul style="list-style-type: none"> • be able to act sensitively and fairly 	Yes	For the revised policy to fully succeed the content of section 3.3, is critical. We will be incorporating

	<ul style="list-style-type: none"> • 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. 		many of the Ombudsman's 'soft skills' training and support material in our briefing and training sessions strengthened through complaints training.
<p>Section 4 - Complaint handling principles</p> <p>Mandatory 'must' requirements</p>			
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	This is our current policy, although there have been periods in the last year when performance fell below this standard.
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	This requirement presents a potential problem for us given that our acknowledgement is almost an automated confirmation of receipt. However, amendment to the complaint form is expected to ensure that we can comply.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	This the current expectation. The training mentioned at 3.3 would cover this point.
4.7	<p>The complaint handler must:</p> <ul style="list-style-type: none"> • deal with complaints on their merits • act independently and have an open mind • take measures to address any actual or perceived conflict of interest • consider all information and evidence carefully <p>keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.</p>	Yes	See 4.6.

4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	Lapses in updating the resident on progress is a known area for improvement. While we do send holding responses when we are unable to meet a deadline, the revised policy will encourage greater use of telephone calls prior to the letter being sent.
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	During the 'investigation' we encourage staff to contact the resident if any aspect of the complaint is unclear. Direct conversations before issuing the decision will principally be at Stage 2 or due the specifics of a case.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	This is covered in the policy.
4.14	A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action. Reasons for declining to escalate a complaint must be clearly set out in a landlord's complaints policy and must be the same as the reasons for not accepting a complaint.	Yes	Included in policy. The procedure will provide detailed examples.
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	We meet this but the administration is currently a significant burden. We will be seeking to streamline this area once Home Master is bedded in.
4.18	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.	Yes	The forthcoming revisions to our 'Vexatious resident policy' address this issue.
Best practice 'should' requirements			
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic	Yes	This is currently our approach. The changes seek to ensure consistency in complaint decisions.
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	This has been the policy approach since 2020.

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	This is included in our policy, with some guidelines included.
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 was not previously emphasised in practice but is now addressed in revised procedures.
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	This is current policy.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	See the comments in 4:12 above.
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.	No	This is not addressed directly in our quarterly surveys. However, the quarterly surveys do ask 3 questions that currently provide a proxy for complaint handling. We will be introducing a means of obtaining feedback from residents in the next year.
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	The revised policy and the supporting training and lessons learnt workshops will go some way to addressing this requirement.
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.	N/A	This point is being addressed in our policy revision, as referenced in 4.18 above.

Section 5 - Complaint stages

Mandatory 'must' requirements – Stage 1

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 comments at 4.11 above address this point.
-----	--	-----	--

5.5	<p>A complaint response must be sent to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed.</p> <p>Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident.</p>	Yes	Practice to date has largely been to wait until all relevant issues are addressed. The revised policy adopts the approach required here.
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	Our existing response template largely addresses this currently, but some revisions for additional detail are proposed.
5.8	<p>Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language:</p> <ul style="list-style-type: none"> • the complaint stages • 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	Included in our response template.
Mandatory 'must' requirements – Stage 2			
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	This is current Policy.
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	Our policy has been amended to adopt the approach described here.
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 current Policy.

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 is current Policy.
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	The current policy complies with this requirement. Board will be aware that for periods over the last year performance has failed to meet the policy targets.
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	Our policy includes a response template in this format.
Mandatory ‘must’ requirements – Stage 3			
5.17	Two stage landlord complaint procedures are ideal. This ensures that the complaint process is not unduly long. If landlords strongly believe a third stage is necessary, they must set out their reasons for this as part of their self-assessment. A process with more than three stages is not acceptable under any circumstances.	Yes	The revised policy adopts a two-stage complaint procedure in line with this.
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 stages • the complaint definition • the decision on the complaint • the reasons for any decisions made 	N/A	

	<ul style="list-style-type: none"> 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 		
Best practice 'should' requirements Stage 1			
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	The wording of our policy has been amended to reflect the wording here.
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	The revised policy has made this explicit.
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 is our approach and has been used. Where available we will make use of such background information.
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	This is current policy.
Best practice 'should' requirements Stage 2			
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 current policy.
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	The revised policy has made this explicit.

Best practice 'should' requirements Stage 3			
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.	N/A	N/A
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	N/A
Section 6 - Putting things right			
Mandatory 'must' requirements			
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 has been extended and the principles is re-emphasised in the revised procedures.
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 current policy. Policy will seek to standardise remedies.
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	Improvements have been made to tracking complaint commitments and following up.
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 current policy covers this. Amendments to the compensation policy are due, largely to ensure consistency.

Best practice 'should' requirements

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.	Partial	Whilst there is a lessons learned template there is no embedded process for learning from cases and overall trends. Recommendation 1) A formal system of learning from problem cases will be introduced 2) Completion: End of October 2022
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	This is now incorporated into our revised policy approach.

Section 7 - Continuous learning and improvement

Mandatory 'must' requirements

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.	Partial	We have rated this Partial, largely due to not currently having a structured approach to learning. However regular internal review meetings do identify generalised 'Key Causes', that while perhaps initially anecdotal do lead to change. The response to dealing with Damp/Mould is one example of this. Recommendation 1) For the moment, Resident, and Annual reports will utilise the examples currently
-----	---	----------------	---

			<p>available to us from the Key Causes approach to illustrate how we have used complaint cases to learn and improve services.</p> <p>Complete: End October 2022</p> <p>2) We will introduce a formal 'learning from problem cases' process, linked to the existing complaint review meetings to inform operational improvements in future.</p> <p>Complete: End October 2022</p>
Best practice 'should' requirements			
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.	Partial	<p>While no formal arrangements exist to demonstrate strict adherence to this requirement, the creation of the People and Customer Committee does evidence an understanding and recognition of the importance of complaint resolution.</p> <p>Recommendation</p> <p>1) That the TORs of the People & Customer Committee be reviewed to include this requirement, with the Chair assuming the lead responsibility role.</p> <p>Complete End of October 2020</p>
7.4	As a minimum, governing bodies should receive:	Partial	<p>Reporting on complaints has presented a major difficulty and challenge for some time. The replacement IT system has the potential to provide</p>

	<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. 		<p>a step change in reporting at all levels, and will support improvements in performance once bedded in.</p> <p>Recommendation</p> <p>1) That a revised suite of performance reports be agreed for different internal users, and for residents.</p> <p>Complete End of September 2022</p>
7.5	<p>Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.</p>	Partial	<p>A mentioned in 7.3 above, systemic issues are identified now, but we accept that a structured system would have benefits.</p> <p>Recommendation</p> <p>1) A regular review of complaint management performance will include the (evidenced) lessons learned in the previous period. Resident feedback will be incorporated into the review.</p> <p>Complete End October 2022</p>
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"> • 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 	Partial	<p>This is emphasised in the training materials and links to the wider cultural objectives of the new Corporate Plan.</p> <p>Recommendation</p> <p>1) These principles will be written into the training (and induction materials) for</p>

	Institute of Housing.		complaints handling. Complete End of September 2022.
Section 8 - Self-assessment and compliance			
Mandatory 'must' requirements			
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	Board will receive an annual assessment each Autumn.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	We have not factored this requirement into our policy approach previously but will amend this.
8.3	<p>Following each self-assessment, a landlord must:</p> <ul style="list-style-type: none"> • report the outcome of their self-assessment to their governing body. In the case of local authorities, self- assessment outcomes should be reported to elected members • publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents • include the self-assessment in their annual report section on complaints handling performance 	Yes	Presenting this report to Board meets this requirement. We will make the results of the assessment available to residents and via the annual report.