

Housing Ombudsman Complaint Handling Code: Self-Assessment Form 2023/24 - Cannock Chase Council

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	Corporate Procedure states it slightly differently, but in essence follows the same lines. Definition considered when taking complaints, as per 1.4. What we mean by complaint <ul style="list-style-type: none"> • if you are unhappy with a service we have provided or we have failed to provide that service. • if a member of our staff has been rude or unhelpful. • if we have not followed our own policies and procedures resulting in a negative outcome.
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 word complaint doesn't have to be used for it to be accepted as such.

			Complaints are accepted from third parties or representatives, however a form of authority is required to disclose information to third parties.
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.	No	Further enquiries may be required from time to time if the request involves more than one team area. Just because a resident requests it doesn't automatically qualify as a formal stage 1 complaint, sometimes it is a service request that can be addressed swiftly by the team/department.
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	Valid reasons as 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	As per Procedure https://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right : The following will not be treated as a complaint; <ul style="list-style-type: none"> • If you disagree with a decision of the Council, which has been taken in accordance with our policies and procedures. • Where you have a right of appeal or review, whether internally to another person or body within the Council, or externally to some other person or body. • There are other processes more suitable for dealing with them such as statutory appeal or tribunal process; • They are outside of our control e.g. complaints about Social Care services, Highways/roads and Education: these should be directed in the first instance to Staffordshire County Council (www.staffordshire.gov.uk); • There are separate legal or regulatory requirements covering these services.

			<ul style="list-style-type: none"> The Council will not deal with anonymous complaints unless they raise serious issues about the conduct of an officer, member or the Council, such as criminal or unlawful behaviour.
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	On those occasions a detailed explanation would be provided.

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	Officer within Service Improvement team determines.
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	Advice would be given as appropriate.

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	Complaint can be submitted online by completing an e-form, email ceoformalenquiries@cannockchasedc.gov.uk , by telephone on 01543 462621 or in writing to Complaints, Cannock Chase District Council, Beecroft Road, Cannock, WS11 1BG.
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	Procedure is available online. https://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right
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	As above. This page can be easily accessed by searching for 'complaints'.
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	As per the Equality Act 2010 that requires us to provide reasonable adjustments for disabled people, defined by the Act as those who have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities, we would do everything possible to allow a complaint to be made. PA to Chief Executive and a Service Improvement officer would handle as required.
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	Publicised online https://www.cannockchasedc.gov.uk/residents/housing/housing-complaints-and-compliments And in annual report to tenants https://www.cannockchasedc.gov.uk/residents/housing/housing-services-annual-report
2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	As above

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	Residents are made aware of the Housing Ombudsman throughout the complaint.
------------	--	-----	---

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	Where a complaint is made via social media, the Communications Officer would inform the PA to Chief Executive of the content, and ensure GDPR compliance as required.

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	Yes	PA to Chief Executive receives complaint and forwards to officer in Service Improvement Team to distribute to correct Service Manager or Head of Service.

	refer to that person or team as the “complaints officer”.		
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	PA to Chief Executive, officer in Service Improvement Team, service managers and Head of Service have required skills and no conflicts of interest.

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	Service managers deal with stage 1 complaints and Head of Service deals with stage 2. They have the required skills and training as detailed.

Section 4 - Complaint handling principles

Mandatory ‘must’ requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.1	<p>Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord's audit trail/records should be able to demonstrate this.</p> <p>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.</p> <p>It is not appropriate to have extra named stages (such as 'stage 0' or 'pre-complaint stage') as this causes unnecessary confusion for residents.</p> <p>When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure within five days of receipt.</p>	Yes	<p>Audit trail of communication is kept.</p> <p>Resolutions are at the forefront of complaints received but do not obstruct access to the procedure.</p> <p>Whilst the procedure states an informal resolution stage, this will be for service requests or where no attempt has been made by the resident to bring it to the attention of the team/department responsible. Service Improvement Team determine.</p> <p>All complaints logged and acknowledged within 5 working days, as per procedure.</p>
4.2	<p>Within the complaint acknowledgement, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for</p>	Yes	<p>Not in the initial acknowledgement, however the service manager will telephone the resident and confirm their complaint and the outcome they wish to achieve. This is then confirmed in the response.</p>

	clarification and the full definition agreed between both parties.		
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	Managers and HoS conduct in an impartial manner.
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 • keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter. 	Yes	Complaints dealt with as detailed.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	If any different requested by resident, otherwise telephone call and response within 10 working days.
4.12	<p>The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:</p> <ul style="list-style-type: none"> • set out their position • comment on any adverse findings before a final decision is made. 	Yes	Resident is contacted and if any staff member subject to complaint they set out their position.

4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	<p>Stage 2 complaints will not normally be accepted more than 3 months after a Stage 1 response has been provided.</p> <p>https://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right</p>
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	<p>Wouldn't unreasonable refuse, and any reasons for declining would be based on those detailed in 1.8.</p>
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	<p>Records are kept of each stage, communication and responses.</p>
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	<p>As per 'Unreasonably Persistent and/or vexatious complaints and unreasonable behaviour' at bottom of page https://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right</p>

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/HoS would discuss and make clear.
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	Discussed with resident at earliest opportunity, response within 10 working days (20 working days for stage 2).
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	Opportunity is there and wouldn't be refused.
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	Discussion and formal response would set out obligations.
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	Unless a staff member is subject of complaint.

4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	Discussion and response within timescales, if not resident is updated.
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	Not currently done, but intend to roll out in 2024/25 when staff resources increased.
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	Learning from complaints form completed after each complaint.
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	As per 4.18.

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	Yes	Defined in the procedure

	response will be received. This should not exceed a further 10 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	Actions tracked when outstanding.
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	Responses aim to do as detailed.
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	Responses include these details.

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	We would explain if required.
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	Resident contacted at stage 2.
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	As per procedure
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	Service Managers at stage 1, Head of Service at stage 2.
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	As per procedure.
5.16	Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:	Yes	Responses include these details.

	<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 <p>and</p> <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. 		
--	--	--	--

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	Two stages. An appeals and complaints panel is available for some housing complaints as per the Constitution (Part 3, Section 22, Annex 1).
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 	N/A	

	<ul style="list-style-type: none"> • 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 		
--	--	--	--

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	Any extension would be agreed and communicated with the tenant.
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	Would do so.
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	Would do so.
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	Yes	Would do so.

	would unreasonably delay the response, the complaint should be logged as a new complaint.		
--	---	--	--

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	Would communicate and agree any extension.
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	Would do so.

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	N/A	Stage 2 final.

	to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.		
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	

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	Responses aim for swift resolutions.
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	Resident communicated with and expectations managed as appropriate.

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	Resolutions aim to do this.
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	Considerations are made when awarding compensation.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.3	Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.	Yes	Learning from complaints form would consider any processes or systems that could benefit all residents and remove the possibility of the complaint reoccurring.
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	Complaint handlers seek internal legal advice where required.

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	Yes	Present findings in annual report to tenants.

	learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.		
--	---	--	--

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	Not applicable as Local Authority, however Portfolio Holder for Housing would have responsibility for complaints regarding the housing service. Complaint handling information on a corporate level, split by portfolio (i.e. housing) is presented annually to Cabinet.
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 	No	Not to the extent detailed, as above complaint handling information is presented to Cabinet. Head of Service and Portfolio Holder are in regular communication and Portfolio Holder would be briefed on issues, trends and escalations to the Ombudsman from time to time.

	tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.		
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	Service Improvement Team would look to identify and present to senior management.
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	Service Managers and Head of Service, along with Service Improvement officer and PA to C.Exec all buy-in to this objective.

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.	No	The Corporate Complaints Procedure was being updated after moving to shared services with Stafford Borough Council, to align both Councils to the same procedure - therefore this years review was conducted later than usual.

8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	Would do.
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	<p>Report to Cabinet, then publish on website.</p> <p>Include in annual report to tenants if possible, or provide link to website.</p>