



**Please ask for:** Matt Berry  
**Extension No:** 4589  
**E-mail:** [mattberry@cannockchasedc.gov.uk](mailto:mattberry@cannockchasedc.gov.uk)

4 October 2023

Dear Councillor,

**Cabinet**

**6:00pm on Thursday 12 October 2023**

**Meeting to be held in the Esperance Room, Civic Centre, Cannock**

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

Yours sincerely,

**T. Clegg**  
**Chief Executive**

**To: Councillors:**

Johnson, T.B.	Leader of the Council
Newbury, J.A.A.	Deputy Leader of the Council and Regeneration & High Streets Portfolio Leader
Elson, J.S.	Community Wellbeing Portfolio Leader
Muckley, A.M.	Environment and Climate Change Portfolio Leader
Thornley, S.J.	Housing Portfolio Leader
Preece, J.P.T.L.	Parks, Culture, and Heritage Portfolio Leader
Prestwood, J.	Resources and Transformation Portfolio Leader
Fisher, P.A.	<i>Observer (non-voting)</i>

# Agenda

## Part 1

### 1. Apologies

### 2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

To declare any interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

### 3. Minutes

To approve the Minutes of the meeting held on 14 September 2023 (enclosed).

### 4. Updates from Portfolio Leaders

To receive and consider oral updates (if any), from the Leader of the Council, the Deputy Leader, and Portfolio Leaders.

### 5. Forward Plan

Forward Plan of Decisions for October to December 2023 (Item 5.1 - 5.2).

### 6. Replacement Bridges at Anglesey Nature Reserve and Rawnsley Woods

Report of the Head of Housing and Corporate Assets (Item 6.1 - 6.8).

### 7. Local Council Tax Reduction Scheme 2024-25 (Authorisation to Consult Interested Parties on Proposed Changes)

Report of the Deputy Chief Executive-Resources (Item 7.1 - 7.3).

### 8. Permission to Spend - Conversion to Wireless CCTV in Cannock Town Centre

Report of the Head of Wellbeing (Item 8.1 - 8.4).

### 9. Housing Revenue Account - Creation of New Post

Report of the Head of Housing and Corporate Assets (Item 9.1 - 9.5).

### 10. Rent and Income Collection Policy

Report of the Head of Housing and Corporate Assets (Item 10.1 - 10.10).

### 11. Housing Ombudsman Complaint Handling Code - Self-Assessment

Report of the Head of Housing and Corporate Assets (Item 11.1 - 11.60).

**Cannock Chase Council**  
**Minutes of the Meeting of the**  
**Cabinet**

**Held on Thursday 14 September 2023 at 6:00 p.m.**

**In the Esperance Room, Civic Centre, Cannock**

**Part 1**

**Present:**

Councillors:

Johnson, T.B.	Leader of the Council
Newbury, J.A.A.	Deputy Leader of the Council and Regeneration and High Streets Portfolio Leader
Elson, J.S.	Community Wellbeing Portfolio Leader
Muckley, A.M.	Environment & Climate Change Portfolio Leader
Thornley, S.J.	Housing Portfolio Leader
Preece, J.P.T.L.	Parks, Culture, and Heritage Portfolio Leader
Prestwood, J.	Resources and Transformation Portfolio Leader

**27. Apologies**

Apologies had been submitted from Councillor P.A. Fisher (*non-voting Observer*).

**28. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

No other Declarations of Interest were made in addition to those already confirmed by Members in the Register of Members' Interests.

**29. Minutes**

**Resolved:**

That the Minutes of the meeting held on 10 August 2023 be approved.

**30. Updates from Portfolio Leaders**

**(v) Parks, Culture, and Heritage**

The Portfolio Leader updated in respect of the following:

- **Cannock Chase Special Area of Conservation (SAC) Joint Strategic Board**

The Portfolio Leader attended the Board meeting yesterday on behalf of the Environment & Climate Change Portfolio Leader. Several new members had been appointed to the Board and the meeting was pretty much an informal affair

for most of the day. Members were given a guided tour of some of the more sensitive areas of the SAC that were suffering from particular issues.

The Portfolio Leader also reported it was pleasing to note that during the formal part of the Board meeting Council Muckley was appointed as the Board's official spokesperson for the SAC.

## (ii) **Regeneration and High Streets**

The Portfolio Leader updated in respect of the following:

- **Wilko**

Confirmation had been received that the Wilko store in Rugeley would be closing. Potentially 71 of the stores would be purchased by Pep & Co (Poundland), with the Rugeley and Stafford stores both possibly part of this purchase.

The Department for Work and Pensions (DWP) had contacted stores across Staffordshire advising of the support they could offer, with some being more receptive than others.

The DWP had also contacted the Rugeley and Stafford stores with a training session arranged at the Rugeley store on 18 September (following its closure the day before) to provide one-to-one redundancy support to staff and advise on benefits etc. This session would be delivered in collaboration with the National Careers Service.

Training was also likely to be needed to upskill staff around ICT which the colleges in attendance said they would be happy to help with.

Many staff at the various branches had a mixed age range between 18-70, with up to 35+ years' service for some. They tended to live local to the store and many didn't drive. Stafford and Rugeley stores had both welcomed the support so far.

- **Amazon**

There was not much to update on at this stage with the next task group meeting scheduled for 27 September at which Amazon representatives would be present.

Individual employee consultations commenced on 30 August, and it was expected these would take three weeks to complete.

The task force was collating offers of support from local businesses that had vacancies and would be working with Amazon to plan a programme of support including job fairs.

- **Latest Unemployment Figures**

The claimant count in Cannock Chase saw a decrease of 25 claimants over the last month, with the total number of claimants in the District now standing at 2,160. This was in contrast to the increase seen nationally.

Over the last month, the claimant rate for Cannock Chase had reduced by 0.1% to 3.4% (of the working age population).

The rate in the District was far lower than the West Midlands region (4.9%) and slightly lower than the average for England (3.8%).

The Council continued to work with its key partners to support our residents into work and ensure that the District had the strong workforce it needed to grow the economy.

**31. Forward Plan**

**Resolved:**

That the Forward Plan of Decisions for the period September to November 2023 (Item 5.1 – 5.3) be noted.

**32. Quarter 1 Performance Report 2023/24**

Consideration was given to the Report of the Head of Transformation and Assurance (Item 6.1 - 6.34).

**Resolved:**

That the progress at the end of the first quarter related to the delivery of the Council's priorities as detailed in report appendices 1a-1d and the performance information as set out in appendix 2, be noted.

**Reason for Decisions:**

The performance information allowed Cabinet to monitor progress in delivery of the Council's corporate priorities and operational services.

**33. Proposed District-wide Smoke Control Order**

Consideration was given to the Report of the Deputy Chief Executive-Place (Item 7.1 - 7.27).

**Resolved:**

That the proposed Smoke Control Order as set out in report appendix 2 be adopted.

**Reasons for Decision:**

To improve air quality in the District; provide additional enforcement powers when investigating complaints about the emission of smoke from moored vessels; update the exemption for Little Wyrley Hall; and simplify the District's current smoke control framework.

**34. Proposed Charging Scheme for Development Management Pre-Application Advice**

Consideration was given to the Report of the Head of Economic Development and Planning (Item 8.1 - 8.9).

**Resolved:**

That:

- (A) The extension of the current pre-application planning service to include minor and householder applications be approved.
- (B) The implementation of the fee charging schedule as set out in report appendix 1 be approved.
- (C) The Head of Economic Development and Planning, in consultation with the Regeneration and High Streets Portfolio Leader, be authorised to review and update the Development Management Pre-application Charging Schedule as necessary.

- (D) Agreement of the implementation date for the Charging Scheme be delegated to the Head of Economic Development and Planning in consultation with the Regeneration and High Streets Portfolio Leader.

**Reasons for Decisions:**

The introduction of a comprehensive pre-application charging scheme would provide a means to improve the quality and consistency of advice provided and this should lead to better quality applications. Requests could be better managed and staff resources allocation appropriately.

There were no charging models provided by the Planning Advisory Service or central Government, so local authorities had discretion to set their own fee levels. In setting the proposed charging schedule, an analysis of neighbouring authorities had been undertaken in order to set a clear structure that complied with Government guidance in that charges should not exceed the cost of providing the service. In addition, the charging rates were set at levels that should not discourage the take up of the service.

The pre-application advice service would recognise the value offered by development management officers to the development process. The current practice of free advice enabled the use of development management officers as free planning consultants which was a burden to the team and unfair to those applicants that obtained such support from elsewhere at their own cost which assisted the planning process.

**35. Procurement of Kerbside Waste and Recycling Collection Contract (2025-2032)**

Consideration was given to the Report of the Head of Operations (Item 9.1 - 9.13).

**Resolved:**

That:

- (A) The commencement of the procurement for the kerbside waste collection service for a specified fixed term be agreed.
- (B) The principles of the procurement and specification and the rationale behind them also be agreed.

**Reasons for Decisions:**

The Council had a requirement to ensure best value and comply with procurement legislation. The procurement of this contract, as per the details contained in the report, assisted with this by aiming to achieve value for money, an up-to-date cost-effective stable service within specified / contracted terms and conditions, whilst allowing for some flexibility around some of the industry / market variables that offered risk and may occur during its term.

Cabinet required an understanding of the associated risks and the main issues that had the potential to impact upon the Council's kerbside waste and recycling collection service contract during its term. In addition, the decisions also assisted the Council in the attainment of its corporate priorities.

The decisions ensured that the kerbside waste collection service procurement took place in good take time and was concluded within a timescale that allowed for a full mobilisation period. This would allow the best opportunity for successful contract / operational arrangements to be achieved prior to the start of the contract.

### **36. Introduction of Chargeable Garden Waste Collection Service**

Consideration was given to the Report of the Head of Operations (Item 10.1 - 10.12). The Leader requested that, if agreed, a review of the chargeable garden waste collection service be undertaken in twelve months time.

#### **Resolved:**

That:

- (A) The introduction of a subscription based chargeable garden waste collection service from 1 January 2024 be agreed.
- (B) The general details of the scheme and the principles of it also be agreed.
- (C) A review of the chargeable garden waste collection service be undertaken in 12 months' time.

#### **Reasons for Decisions:**

The Council was required to produce an annual balanced budget. As part of the 2023/24 budget setting process a significant financial gap was highlighted. Following a potential savings review, a package of savings options was proposed. The introduction of a subscription-based chargeable garden waste service was one of those options.

Garden waste collections were a non-statutory undertaking and were therefore a discretionary service provided by the Council, which it had the right to withdraw. Rather than withdrawing the service the Council had decided to offer an annual subscription-based service to its residents. Residents would have the choice as to whether they wished to sign up for the subscription service. If they chose not to, they could dispose of their garden waste via different methods, either by home composting or at their local Household Waste and Recycling Centre.

Council officers had worked with colleagues from across Staffordshire, the wider region, and from within the waste industry to ensure that the final scheme as detailed in the report was fit for purpose and consistent with national practice.

A review be held in twelve months in order that the scheme be assessed and evaluated following its first eight months of operation.

### **37. Exclusion of the Public**

#### **Resolved:**

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraphs 1 and 2, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

**Cannock Chase Council**  
**Minutes of the Meeting of the**  
**Cabinet**

**Held on Thursday 14 September 2023 at 6:00 p.m.**

**In the Esperance Room, Civic Centre, Cannock**

**Part 2**

**38. Former Tenants' Arrears Debt Recommended for Write-Off**

Consideration was given to the Not for Publication Report of the Head of Housing and Corporate Assets (Item 12.1 - 12.6).

**Resolved:**

That the former tenants' arrears as detailed in report appendix 1 be approved for write-off and that regular reports were submitted in future for approval.

**Reason for Decisions**

There was no reasonable prospect of the Council recovering the debts at present and they met one of the specified criteria for write-off.

The meeting closed at 6:58 p.m.

---

**Leader**



### Forward Plan of Decisions to be taken by the Cabinet: October to December 2023

For Cannock Chase Council, a key decision is as an Executive decision that is likely to:

- Result in the Council incurring expenditure or making savings at or above a threshold of 0.5% of the gross turnover of the Council.
- Affect communities living or working in two or more Council Wards.

Representations in respect of any of matters detailed below should be sent in writing to the contact officer indicated alongside each item via email to [membersservices@cannockchasedc.gov.uk](mailto:membersservices@cannockchasedc.gov.uk)

**Copies of non-confidential items will be published on the Council's website 5 clear working days prior to the relevant meeting date.**

Item	Contact Officer / Cabinet Member	Date of Cabinet	Key Decision	Confidential Item	Reasons for Confidentiality	Representations Received
<b>October 2023</b>						
Replacement Bridges at Anglesey Nature Reserve and Rawsley Woods	Head of Housing & Corporate Assets / Housing Portfolio Leader	12/10/23	Yes	No		
Local Council Tax Reduction Scheme 2024-25 (Authorisation to Consult Interested Parties on Proposed Changes)	Deputy Chief Executive-Resources / Resources and Transformation Portfolio Leader	12/10/23	No	No		
Permission to Spend - Conversion to Wireless CCTV in Cannock Town Centre	Head of Wellbeing / Community Wellbeing Portfolio Leader	12/10/23	Yes	No		
Housing Revenue Account - Creation of New Post	Head of Housing & Corporate Assets / Housing Portfolio Leader	12/10/23	No	No		
Rent and Income Collection Policy	Head of Housing & Corporate Assets / Housing Portfolio Leader	12/10/23	Yes	No		
Housing Ombudsman Complaint Handling Code - Self Assessment	Head of Housing & Corporate Assets / Housing Portfolio Leader	12/10/23	No	No		
<b>November 2023</b>						
Quarter 2 Performance Report 2023/24	Head of Transformation & Assurance / Resources & Transformation Portfolio Leader	09/11/23	No	No		

Item	Contact Officer / Cabinet Member	Date of Cabinet	Key Decision	Confidential Item	Reasons for Confidentiality	Representations Received
Strategic Risk Register	Head of Transformation & Assurance / Resources & Transformation Portfolio Leader	09/11/23	No	No		
Housing Services 2022-23 Annual Report	Head of Housing & Corporate Assets / Housing Portfolio Leader	09/11/23	No	No		
LTA Tennis Courts Concessions Scheme	Head of Operations / Parks, Culture, and Heritage Portfolio Leader	09/11/23	Yes	No		
Stadium Site Phase 2 Works Revision 2B - Toilet and Community Room	Head of Operations / Parks, Culture, and Heritage Portfolio Leader	09/11/23	No	No		
<b>December 2023</b>						
Environmental Sustainability Strategy	Head of Operations / Environment and Climate Change Portfolio Leader	14/12/23	Yes	No		
Amazon-Rugeley	Head of Economic Development & Planning / Regeneration and High Streets Portfolio Leader	14/12/23	No	No		
Local Development Scheme 2023	Head of Economic Development & Planning / Regeneration and High Streets Portfolio Leader	14/12/23	No	No		
Local Plan Update and Regulation 19 Consultation	Head of Economic Development & Planning / Regeneration and High Streets Portfolio Leader	14/12/23	No	No		
Cannock Town Centre Levelling Up Fund - Permission to Spend	Head of Economic Development & Planning / Regeneration and High Streets Portfolio Leader	14/12/23	Yes	Yes (Appendix only)	Information relating to the financial or business affairs of any particular person (including the Council).	

# Replacement Bridges at Anglesey Nature Reserve and Rawnsley Woods

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	12 October 2023
<b>Report of:</b>	Head of Housing and Corporate Assets
<b>Portfolio</b>	Housing

---

## 1 Purpose of Report

- 1.1 To provide an update following previous reports on this subject in August 2021 and February 2023.
- 1.2 To seek Member approval for permission to spend and proceed with two replacement bridges, one at Anglesey Nature Reserve and the other in Rawnsley Woods.

## 2 Recommendations

- 2.1 That Cabinet notes the content of this report and authorises officers to progress replacement of one bridge at Anglesey Nature Reserve and one bridge in Rawnsley Woods.
- 2.2 That the cost of undertaking the works is funded from the existing capital programme budget of £110,000 and any balance remaining is returned to the overall capital budget.
- 2.3 That consideration of any proposals for Rugeley Boardwalk be discussed separately as part of the Council's wider capital budget setting process.

### Reasons for Recommendations

- 2.4 An update report on the replacement bridges was presented to Cabinet on 16 February 2023. The Cabinet resolution was to not proceed with any works at that time and to review the Council's position during Autumn 2023.
- 2.5 Replacement of the bridges at Anglesey Nature Reserve and Rawnsley Woods can be funded through the existing allocation of Capital budget.
- 2.6 Replacing Rugeley Boardwalk would require significant additional capital funds and hence it is recommended future proposals for Rugeley Boardwalk be considered separately as part of the Council's wider budget setting process.

## 3 Key Issues

- 3.1 A review of bridges and boardwalks was presented to Cabinet 05 August 2021, recommending replacement of three demolished bridges - Rugeley Boardwalk, one bridge in Anglesey Nature Reserve and one bridge in Rawnsley Woods.

- 3.2 Once the replacement bridge works, in Anglesey and Rawnsley, had been formally tendered, the actual costs were much higher than anticipated. At the time, there were significant increases in material costs and construction costs.
- 3.3 Through the review and development of a specification for replacement of Rugeley Boardwalk, it became apparent this structure could not be replaced 'like for like.' The Consultant working on the project indicated that a budget of circa £200k should be set aside for the works.
- 3.4 An update report was presented to Cabinet 16 February 2023. At that time, in consideration of funding pressures on the capital programme, Cabinet determined that work should not proceed to any of the three bridges and the Council's position should be reviewed later in the year. This report sets out that review.

## 4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priorities as follows:
- (i) **Priority 3 - The Community** - by maintaining our green spaces and ensuring they are accessible and inclusive environments.
  - (ii) **Priority 4 - Responsible Council** - by being a responsible Council which lives within its means and is accountable for its actions.

## 5 Report Detail

### Background

- 5.1 A report was presented to Cabinet on 16 February 2023, updating Members on progress with the replacement of three bridges highlighted in an earlier report to Members in August 2021.
- 5.2 The three structures had all previously been demolished, their locations being at Brook Square/ Brewery Street Rugeley, Anglesey Nature Reserve Hednesford, and Rawnsley Woods.
- 5.3 Specifications for replacement of all three bridges were developed and a tender exercise undertaken for the replacement of the two smaller footbridges (Anglesey Nature Reserve and Rawnsley Woods) during July 2022. Unfortunately, due to a substantial increase in construction material costs and tender prices from the time the original outline cost estimates were prepared, even the lowest tender price was still significantly over budget.
- 5.4 As the design process for Rugeley Boardwalk evolved, it became evident that replacing the structure 'like for like' was not a viable option and additional capital funding would be required if the scheme was to proceed.
- 5.5 February 2023, Members considered the replacement of the bridges alongside a review of the Council's capital programme for 2023-24 and agreed it would be prudent to defer a decision on all three bridges until the Autumn. This Cabinet decision was then the subject of a 'call-in' request, considered by the Responsible Council Scrutiny Committee in March 2023. As part of debating the call-in, Cabinet was encouraged to 'de-couple' the two issues (Rugeley boardwalk / bridges at Anglesey and Rawnsley) as Members considered this would enable the

Anglesey and Rawsley bridge replacement works to be delivered within the existing budget available.

### Bridge at Anglesey Nature Reserve

- 5.6 There are two bridge locations within Anglesey Nature reserve, one near Hereford Road (marked by a red dot on Fig 1) and the other near Herondale (marked by a yellow dot on Fig 1). Both sides of the nature reserve can be accessed using the bridge near Herondale, which is used by the public and vehicle access for the Council's grounds maintenance team.

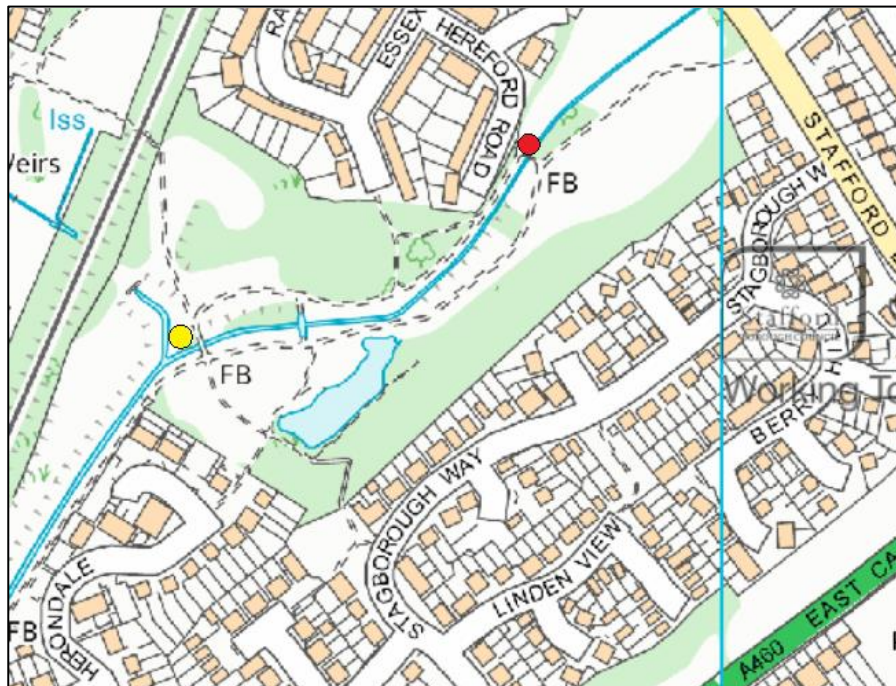


Fig 1

- 5.7 The pedestrian bridge near Hereford Road (marked by a red dot on Fig 1) was previously removed because it was beyond economical repair (see below photograph). It is considered that replacing this bridge would improve public access and enhance the use and enjoyment of the open space.





### Bridge in Rawnsley Woods

- 5.8 Within Rawnsley Woods, there were two pedestrian bridges, both demolished. The main one (marked by a red dot on Fig 2 below) linked footpaths from St Thomas Drive and Littleworth Road (almost opposite Chetwynd Park) to an alleyway between the houses on Cannock Wood Street. The second was part of an additional overgrown pathway from Littleworth Road which also led to the location of the main bridge; the second bridge is not being considered for replacement as part of this report.

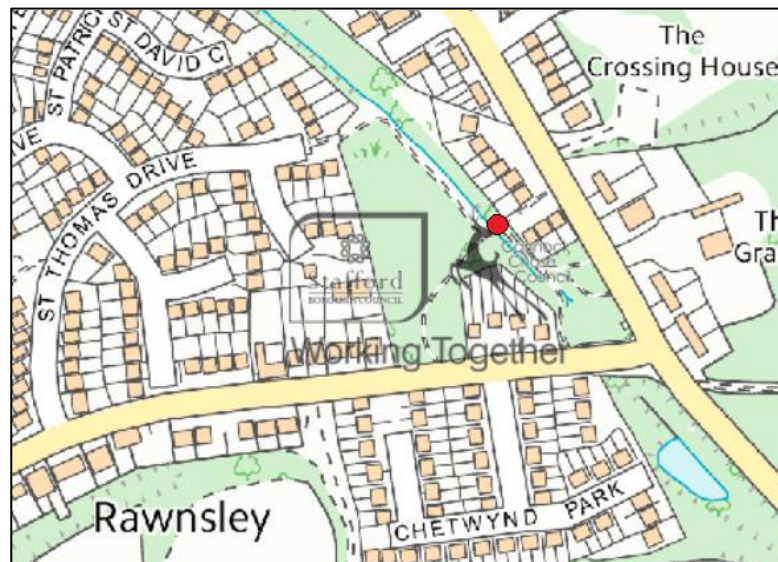


Fig 2

- 5.9 As an alternative to using the bridge in Rawnsley Woods, pedestrians may use the highways footpaths along Littleworth Road and Cannock Wood Street. However, a local Councillor has raised concerns about pedestrian safety because the footpaths are narrow and the road junction by 'the green pipe' is very busy.
- 5.10 As shown in the below photograph, the main bridge in the woods was removed because it was beyond economical repair. Replacing this bridge would improve the links between the residential areas and enhance the use and enjoyment of the woods.



## Rugeley Boardwalk

- 5.11 Rugeley Boardwalk was demolished in 2019 due to being in an unsafe condition. The original structure was approximately 45m long and was constructed of timber. Each end of the boardwalk location is marked by a red dot on Fig 3.

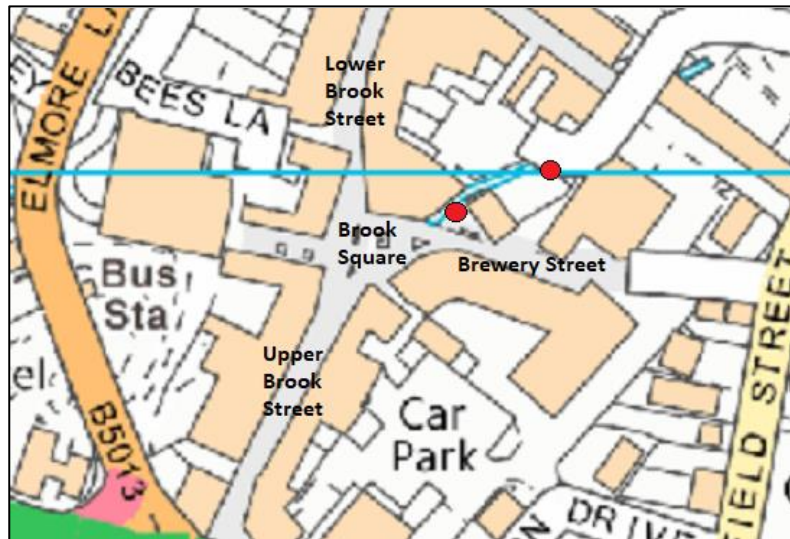


Fig 3

- 5.12 The original purpose of the bridge and boardwalk was to provide an aesthetically pleasing recreational link from Brewery Street, crossing over Rising Brook, and connecting to the Service Road Area, heading towards Albion Street. The below photograph shows the location of the Brewery Street end of the previous bridge and boardwalk:



- 5.13 Unfortunately, being constructed from timber and in a continually damp/ wet environment, the supporting timbers had rotted, the boarding became loose, and then the structures became unstable, hence why the boardwalk had had to be removed.
- 5.14 Investigations have also determined that the Council does not own all the land the original bridge was built on. Further consultation would be required, and wayleave agreements completed before any works could proceed.
- 5.15 Since the construction of the original boardwalk, standards for footbridges and accessibility have changed significantly. A replacement bridge and boardwalk in a town centre location needs to be designed to meet the needs of all people who may want to use it, which requires a far more robust structure than the original

design. Vandalism, anti-social behaviour, visibility along the structure, handrails, edge details, drainage, gradients, lighting, confined spaces where rubbish could accumulate, inspection, and maintenance are all factors which need to be considered.

### **Specifications**

- 5.16 Discussions with the Environment Agency and Staffordshire Flood Defence Teams have determined that any new structures need to span the water course, not sit in it. This reduces the risk of contamination of a watercourse, prevents any restriction in water flow which may cause flooding elsewhere and is kindest to wildlife, supporting the wildlife corridors.
- 5.17 Specifications for replacement of the two smaller bridges (Anglesey Nature Reserve and Rawnsley Woods) included the provision of a high-density recycled plastic product which has an excellent life span and a recycled plastic core which uses up unwanted plastics. The work was tendered through a formal process.
- 5.18 For Rugeley Boardwalk a firm of engineers was procured to undertake a structural design of the new bridge. Topographical, utilities and drainage surveys were undertaken plus a geotechnical appraisal. The proposed bridge section was for a steel structure with piled foundation, thus ensuring a firm bearing on the ground. The section along the car park fence would be a bound gravel path, which would look more natural whilst providing a more easily maintained finish and this would be continued over the culvert section which currently has a metal grid to protect the culvert.

### **Budgets**

- 5.19 Following the August 2021 report, a capital programme budget of £110k was allocated for the replacement of the three bridges in the 2022-23 capital programme.
- 5.20 The estimated costs in the 2021 report were based upon due diligence undertaken during the months preceding the submission of the report. Since that time, there has been a substantial increase in construction material costs and tender prices. Timber especially is now significantly more expensive and whilst previously savings could have been made by using timber, the 2022 tender exercise showed sustainable ekki wood to be slightly more expensive than the fibre reinforced plastic alternatives. In addition, for replacing Rugeley Boardwalk, the engineers advised that a budget of circa £200k (plus VAT and other associated fees) would be required to deliver the project.
- 5.21 Although the original £110k capital budget would be more than sufficient to progress the Anglesey Nature Reserve and Rawnsley Woods bridges, additional capital funding would be required if the replacement of Rugeley Boardwalk is to proceed. Therefore, it is suggested funding for Rugeley Boardwalk be reviewed separately as part of the capital programme review.
- 5.22 At the time of the February 2023 report, it was suggested allocation of £70k budget to cover the cost of the two bridges (Anglesey and Rawnsley). Although increases in materials and construction costs are now more settled, inflation is currently averaging around 6.5% over the last year. This type of small bridge has a limited



pool of providers, making estimating costs difficult to gauge and true costs may only be determined by actually tendering works. It is therefore suggested that a decision to replace the two bridges is based upon approval of the current specification, and renegotiation of cost with the original tenderers.

### **Next Steps**

- 5.23 If replacing the bridges in Anglesey Nature Reserve and Rawnsley Woods is approved, due to lapse of time since original contact and before placing any orders, Officers will undertake new dialogue with relevant stakeholders, including the Staffordshire Flood Defence Team to review specifications and ensure proposals accord with current requirements. This will include discussions on the viability of being able to put forward a more cost-effective proposal. Officers will then review options and the tenders in order to progress the most financially viable solution for the Council.
- 5.24 It is recommended options for Rugeley Boardwalk be discussed separately as part of the Council's capital programme review.

## **6 Implications**

### **6.1 Financial**

There is an allocation of £110k within the 2022-23 Capital Programme for the bridge and boardwalk replacement works outlined within this report. This budget is not adequate to approve progression of all three projects. Quotes will be obtained in line with the recommendation of this report for one bridge at Anglesey Nature Reserve and one bridge in Rawnsley Woods. It is anticipated that the quotes will be within the £110k budget allocation based on prior work.

There is currently no revenue provision for the maintenance of the structures once constructed. This will be a financial pressure should members approve the building of the projects detailed above. It is not possible to estimate these costs until the precise design and specification has been agreed.

### **6.2 Legal**

None

### **6.3 Human Resources**

None

### **6.4 Risk Management**

None

### **6.5 Equalities and Diversity**

All new bridges and boardwalks need to be compliant with the requirements of the Equality Act 2010.

## 6.6 Health

The addition of the bridges would enhance the public use and accessibility of the open spaces.

## 6.7 Climate Change

By spanning the water courses and not restricting the flow of water along those water courses helps prevent unwanted surface water flooding in adjacent residential areas and allows full accessibility for the wildlife and biodiversity of the area.

The proposed fibre reinforced plastic material to be used for the new bridges includes a high content recycled plastic core, which helps to dispose of unwanted plastic waste in a more environmentally sustainable manner.

## 7 Appendices

None

## 8 Previous Consideration

Boardwalk and Bridges, Cabinet, 16 February 2023

Review of Bridges and Boardwalks, Cabinet, 5 August 2021

## 9 Background Papers

None.

<b>Contact Officer:</b>	Amanda Badman
<b>Telephone Number:</b>	01543 464309
<b>Ward Interest:</b>	Hednesford South Ward, Rawnsley Ward, and Western Springs Ward
<b>Report Track:</b>	Cabinet 12.10.2023
<b>Key Decision:</b>	Yes

## Local Council Tax Reduction Scheme 2024-25 (Authorisation to Consult Interested Parties on Proposed Changes)

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	12 October 2023.
<b>Report of:</b>	Deputy Chief Executive (Resources)
<b>Portfolio:</b>	Resources and Transformation

---

### 1 Purpose of Report

- 1.1 To update members on proposals to review the Local Council Tax Reduction (LCTR) Scheme effective from 1 April 2024.
- 1.2 To seek approval to formally consult persons affected by the proposed changes, as required by legislation.

### 2 Recommendations

- 2.1 That the report be noted.
- 2.2 That a formal consultation be commenced with the results being reported back to Cabinet.

#### Reasons for Recommendations

- 2.3 The 2023-24 scheme was enhanced to provide additional support for the most vulnerable of residents who otherwise would have had to pay 20% of their Council Tax. These changes and necessary funding were agreed for one year only, with the scheme reverting to the 2022-23 levels, in the absence of further approvals.
- 2.4 Continuation of the temporary enhancement to the scheme are not affordable and so the 80% cap will be re-introduced from April 2024.
- 2.5 The review of our scheme has identified ways in which calculation and award of LCTR can be performed more efficiently and so some operational changes are proposed and will be consulted upon.

### 3 Key Issues

- 3.1 The operational issues referred to in 2.5 above are:
  - More manual work being required to assess some claims than is ideal.
  - Anomalies and unequal treatment of claimants in some specific circumstances, including potential entitlement outside of the intention of the scheme.
- 3.2 DWP funding for local authority benefit services is reducing and will reduce further in the coming years, as more working aged claimants are moved onto Universal Credit and away from their legacy benefits. We must therefore continually review our scheme and operating methods to ensure that we maximise efficiency.

- 3.3 Whilst there are no budgetary implications to the changes proposed, any change to our scheme, other than reversion to the 2022-23 scheme will require a Consultation process. This report asks that formal consultation to be approved.

## 4 Relationship to Corporate Priorities

- 4.1 **Priority 2 - Health & Wellbeing** is positively impacted by providing additional financial support to some of the poorest residents in the Cannock Chase district.

## 5 Report Detail

- 5.1 Prior to April 2013 the Council Tax Benefit scheme was a national, statutory scheme, which afforded a reduction of 100% to the Council Tax bills of those residents on the lowest incomes. This scheme was abolished from 1 April 2013 when local authorities were required to implement local schemes.
- 5.2 This Council, in common with most others, introduced a scheme which stated that most working aged claimants could be granted LCTR of a maximum of 80% of their bill, meaning that they had to pay at least 20%. Exceptions to this rule were included for parents of children aged under 5 years, and disabled people in receipt of certain disability-based benefits, who could still qualify for up to 100%
- 5.3 From 1 April 2020, this Council made changes to its scheme for working aged claimants by introducing a banded income discount scheme. This simplified the calculation of entitlement for working aged claimants and increased the number of claimants that could receive up to 100% reduction. The 80% cap remained a feature of the scheme and still affects most working aged claimants.
- 5.4 In the latter part of 2022, the Council being very aware that issues relating to increases in the cost of living and to energy bills caused difficulties for many households, with those on the lowest incomes, agreed that the 80% cap on working age LCTR be removed for the financial year 2023-24.
- 5.5 The change involved additional expenditure of around £410K of which Cannock Chase DC met 12% (49K). It was for one year only with the cap being re-introduced from 1 April 2024, in the absence of a further resolution.
- 5.6 A further review of the Local Council Tax Reduction scheme was promised to be undertaken in 2023 and has been undertaken.
- 5.7 Continued enhancement of the scheme in 2024-25 is not affordable and so the 80% cap will be reintroduced from April 2024. Whilst not as generous as the 2023-24 scheme, the 2024-25 will achieve the main scheme objectives:
- Making the process of applying for reduction as simple as possible.
  - Simplifying the operational process of assessing a claimant's entitlement
  - Ensuring that the scheme is equitable and treats people with similar circumstances in similar way.
  - Protecting families.
  - Making work pay by rewarding claimants in work.
  - Ensuring that people who cannot work are not disadvantaged.

- 5.8 The review did however identify some circumstances in which a slightly different wording of the scheme will remove a significant amount of manual effort required to process applications. Making savings of cost and improving speed of processing. The consultation and changes will be in respect of those issues only.

## **6 Implications**

### **6.1 Financial**

None - The small cost of a consultation process will be funded from existing budgets.

### **6.2 Legal**

The scheme and process for amendment are prescribed in Section 13A of Local Government Finance act 1992 and subsequent regulations.

### **6.3 Human Resources**

None

### **6.4 Risk Management**

None

### **6.5 Equalities and Diversity**

None - this is a request to consult only. Impact assessments will be conducted regarding any changes to the scheme.

### **6.6 Health**

None

### **6.7 Climate Change**

None

## **7 Appendices**

None

## **8 Previous Consideration**

The current LCTR scheme was approved by Council on 15 February 2023.

## **9 Background Papers**

None

**Contact Officer:** Rob Wolfe  
**Telephone Number:** 01543 464 397  
**Ward Interest:** No  
**Report Track:** Cabinet: 12/10/23  
**Key Decision:** No

# Permission to Spend - Conversion to a Wireless Transmission Solution for Cannock Town Centre's Closed Circuit Television Cameras

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	12 October 2023
<b>Report of:</b>	Head of Wellbeing
<b>Portfolio:</b>	Community Wellbeing

---

## 1 Purpose of Report

- 1.1 To seek approval to utilise an approved capital budget to convert the existing BT Closed Circuit Television (CCTV) transmission circuitry to a wireless alternative in Cannock Town Centre.

## 2 Recommendations

- 2.1 Cabinet is asked to approve the spend of up to £45,000 from the approved CCTV Capital Programme, for the conversion to a CCTV wireless transmission solution in Cannock Town Centre.

### Reasons for Recommendations

- 2.2 The decommissioning of 9 BT circuits and conversion to wireless transmission will present a saving of approximately £8,500 per annum, in perpetuity, based on current rates. This was identified in the budget savings for 2022/23.
- 2.3 The conversion would present a decreased reliance on a transmission infrastructure where there is uncertainty regarding its future and associated revenue costs.
- 2.4 The conversion would future proof the service technologically. 8 of the 9 highlighted BT circuits are VXMD circuits. These are in excess of 20 years old and are an unsupported, end of life product.
- 2.5 A wireless transmission solution will enable significant and additional CCTV funding to be received as part of the Government's Safer Streets 5 initiative.
- 2.6 There are no ongoing revenue costs associated with a wireless transmission solution.

## 3 Key Issues

- 3.1 Cannock Chase Council manages, maintains, and monitors a portfolio of 98 CCTV Public Space Surveillance cameras across the district. 18 cameras are located within Cannock Town Centre, with 11 of these currently operating on BT circuits.
- 3.2 9 of these circuits in Cannock Town Centre have been identified as being suitable for wireless conversion.

- 3.3 BT circuits currently cost £927.75 per circuit per annum. As well as a cost saving to the authority, it would improve resilience of the system as there is current uncertainty surrounding their future as technology advances.

## 4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priorities as follows:
- (i) **Economic Prosperity** - by demonstrating a commitment to ongoing rejuvenation of our town centres.
  - (ii) **Health and Wellbeing** - by helping to ensure the most vulnerable people in our district are safeguarded.
  - (iii) **The Community** - by assisting in ensuring our neighbourhoods are safe.
  - (iv) **Responsible Council** - by enhancing the use of technology and new ways of working.

## 5 Report Detail

- 5.1 The CCTV system consists of 98 static and fully functional (pan, tilt and zoom) cameras in the district. Images from all cameras are recorded simultaneously throughout a 24-hour period, 365 days each year, at the control and monitoring room.
- 5.2 The following purposes have been identified for the CCTV scheme:
- a) To help reduce crime and anti-social behaviour.
  - b) To help reduce the fear of crime.
  - c) To help detect crime and provide evidential material for court proceedings.
  - d) To provide assistance in the overall management of public health and safety.
  - e) To assist the local authorities in their enforcement and regulatory functions within the area of Cannock Chase.
  - f) To safeguard vulnerable adults and children.
  - g) To assist in developing the economic well-being of Cannock Chase District and to encourage greater use of the town centres, shopping areas, car parks and similar locations within the district.
- 5.3 The CCTV scheme assists the Community Safety Partnership (CSP) in their statutory duty to reduce crime and disorder, substance misuse and re-offending in their local authority area. CCTV also assists in all of the CSPs priorities, as detailed within the annual Community Safety Strategic Assessment. These are:
- a) Anti-Social Behaviour.
  - b) Domestic Abuse and Stalking & Harassment.
  - c) Community Cohesion & Tackling Extremism.
  - d) Drugs & County Lines.
  - e) Vulnerable Persons.
  - f) Serious Violence and Violence Against Women & Girls.

- g) Repeat and Persistent Offending.
- 5.4 The CCTV scheme also supports all of the Police, Fire and Crime Commissioner's community safety priorities. These are:
- a) A Local and Responsive Service.
  - b) Prevent Harm and Protect People.
  - c) Support Victims and Witnesses.
  - d) Reduce Offending and Re-offending.
  - e) A More Effective Criminal Justice System.
- 5.5 In conclusion, CCTV is an effective tool that has been statistically proven to improve community safety. Studies demonstrate CCTV reduces overall actual crime by 13%, with the perception/fear of crime likely to be far higher than this figure. The CCTV function is therefore integral to the CSP being able to fulfil its statutory duties in relation to community safety. At a time when the resources of public bodies are stretched, the continued use of CCTV will assist with reducing the fear of crime and assist to increase public confidence.
- 5.6 Due to its geography and landscape, Cannock Town Centre naturally lends itself to a wireless transmission solution and the associated benefits thereof, listed in section 3. Other town centres across the district do not lend themselves so readily to conversion and more extensive work would be required to ascertain feasibility.
- 5.7 A survey has estimated the capital cost of the project would be approximately £37,500 for the wireless transmission network solution, including all IP camera licenses. A further survey would be needed to ascertain if there are any line-of-sight obstructions for certain camera sites. A £7,500 contingency has been allocated should wireless repeaters need to be installed. Therefore, an upper budget of £45,000 is required.
- 5.8 Once spend is agreed, a procurement process shall commence immediately. There is no proposed delay to offering the contract and once begun, works are anticipated to be completed in two to three weeks.

## **6 Implications**

### **6.1 Financial**

This report is seeking permission to spend £45,000 of the current £67,000 CCTV approved Capital budget. If approved, £45,000 CCTV capital budget would be added to the 23-24 capital programme. The remainder £22,000 would stay in the CCTV approved programme not yet allocated, requiring a further permission to spend report when this budget is required.

### **6.2 Legal**

None.

### **6.3 Human Resources**

None.



**6.4 Risk Management**

There are no strategic risks associated with the proposals, but the conversion to wireless infrastructure will help to reduce a number of operational risks for the service.

**6.5 Equalities and Diversity**

None.

**6.6 Health**

None.

**6.7 Climate Change**

None.

**7 Appendices**

None.

**8 Previous Consideration**

None.

**9 Background Papers**

None.

**Contact Officer:** Oliver Greatbatch  
**Telephone Number:** 01543 464 477  
**Ward Interest:** Cannock South & Cannock West  
**Report Track:** Cabinet: 12/10/23  
**Key Decision:** Yes

## Housing Revenue Account - Creation of New Post

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	12 October 2023
<b>Report of:</b>	Head of Housing and Corporate Assets
<b>Portfolio:</b>	Housing

---

### 1 Purpose of Report

- 1.1 To seek Cabinet approval for the creation of a new post within the Strategic Housing and Service Improvement Team.

### 2 Recommendations

- 2.1 That Cabinet consider and approve the request for the new Resident Engagement and Insight Officer role to be created and funded by the HRA.
- **Resident Engagement and Insight Officer** – Salary Grade G; 37 hours per week (£44,510 including on costs)

This post will ensure compliance with the Social Housing Regulator’s consumer standards by focusing on improving the Council’s resident engagement offer, as well as improving data intelligence to better develop insights into resident composition and behaviours to improve service delivery by the wider Housing Services section.

#### Reasons for Recommendations

- 2.2 Housing Services and the Strategic Housing and Service Improvement Team require additional capacity to contribute and undertake the required activities to meet the Social Housing Regulator’s Tenant Involvement and Empowerment Standard.
- 2.3 Principally through undertaking and providing sufficient and robust engagement, tenants and residents are able to shape and improve the services delivered to them. This continuous involvement programme provides further empowerment to residents. In addition, by not meeting the Regulator’s requirements the Council will open themselves up to the Regulator’s use of regulatory, enforcement and general powers.
- 2.4 The Regulator has been given even stronger powers by the Government to scrutinise landlords’ performance from April next year, following the enacted Social Housing (Regulation) Act 2023. Government has also promised to “name and shame” providers that do not meet standards.

### 3 Key Issues

- 3.1 The Social Housing Regulator sets out standards for Registered Providers of social housing to meet. Currently tenant engagement activities are covered by the Tenant Involvement and Empowerment Standard.

- 3.2 A self-assessment of the current requirements for all the Consumer Standards has been undertaken and has identified that the key compliance tasks for the Tenant Involvement and Empowerment Standard requires further resource and capacity.
- 3.3 To maintain and further develop the activities required it is essential to recruit to a new Resident Engagement and Insight Officer position so that a new focus on engagement can be achieved.
- 3.4 The new post holder will ensure that services and teams benefit from using a wider range of tenant engagement methods and a greater intelligence on customers to ensure housing services are centred around the needs and wants of tenants, leaseholders and other residents.

## **4 Relationship to Corporate Priorities**

- 4.1 This report supports the **Corporate Priority 3 - 'The Community'** by way of improving the housing offer and supporting and building strong connections within our local communities.

## **5 Report Detail**

- 5.1 The Housing department currently manage c.5,350 rented and leasehold properties across the District and have a responsibility to the tenants and leaseholders of these properties to ensure that they are listened to and to provide the services that they want and need.
- 5.2 The Regulator of Social Housing has been set two main objectives by Government:
  - Economic objective: to make sure that registered providers (landlords) are well-managed and financially stable.
  - Consumer objective: to make sure that tenants get quality accommodation, have choice and protection, and can hold their landlords to account.

Each objective has a set of standards, within the Economic standards only the Rent standard applies to local authorities. Within the Consumer standards there are currently 5 standards to be met.

- 5.3 Currently tenant engagement activities are covered by the Tenant Involvement and Empowerment Standard. The Social Housing (Regulation) Act has given the Regulator stronger powers to scrutinise landlords' performance and as such a new collection of consumer standards are being consulted on, and tenant engagement is proposed to become part of the Transparency, Influence and Accountability Standard from April 2024. The main requirements in the existing standard are proposed to be included in the new standard.
- 5.4 A self-assessment of the Consumer standards for 2023-2024 was undertaken and determined that a number of the requirements of the Tenant Involvement and Empowerment Standard needs further strengthening and the following is needed to be provided:
  - A refreshed Tenant Engagement Strategy.

- All housing teams' Service Standards need reviewing in consultation with tenants and leaseholders.
  - Consult tenants on the management of homes, repair services and local offers.
  - Enable wider scrutiny of the landlord performance and the making of recommendations about how performance might be improved.
  - Re-instate the tenant scrutiny panel.
  - Provide tenants with a greater volume of accessible, relevant and timely information.
  - Providing support to tenants to build their capacity to be more effectively involved.
  - Consult tenants at least once every three years on the best way of involving tenants in the governance and scrutiny of the organisation's housing management service.
  - Build better relationships with tenants, leaseholders, resident involvement groups and other community groups.
- 5.5 The main objectives of the Resident Engagement and Insight Officer are to deliver the provisions identified in 5.4 and ensure the following:
- To ensure that tenant engagement is embedded into Housing Services so that tenants are integral to the design and delivery of housing services.
  - To ensure that there are a range of methods and opportunities for engagement and involvement, in line with best practice.
  - To engage vulnerable, hard to reach groups to encourage inclusivity and also promote and facilitate improved relationships between the Council and communities across the District.
  - To refresh and deliver the Resident Engagement Strategy and support innovative, inclusive and equitable resident engagement that exceeds regulatory requirements.
  - To support Housing Services to develop services that increase our positive social impact and make a difference to our residents and the communities where they live.
  - To act as the Council's liaison to re-instate and improve upon membership to the lapsed Tenant Scrutiny group to ensure that the Council complies with the Tenant Involvement and Empowerment Standard (and its proposed replacement).
- 5.6 There is insufficient budget within the HRA Staffing Budget to fund the creation of this post. Cabinet are requested to approve an additional budget allocation of £44,510, which will be reflected as an increase in the HRA base budget position. This may necessitate a reduction in the base revenue budget position elsewhere

in the HRA to ensure that the HRA remains in a balanced position. Should the funds be unable to be found to fund the post, alternative options will be reviewed and reported on as appropriate.

## **6 Implications**

### **6.1 Financial**

There is insufficient budget within the current HRA Staffing Budget to fund this additional permanent post. An additional annual budget of £44,510 (including on costs) for a grade G 37 hours post would need to be approved.

### **6.2 Legal**

As a Registered Provider of Social Housing the Council is required to comply with the regulatory framework for social housing in England set by the Social Housing Regulator, the risk if funding is rejected for the role is non-compliance.

### **6.3 Human Resources**

The post of Resident Engagement and Insight Officer – Salary Grade G (£44,510, pay award pending) has been evaluated and moderated in line with the Council's Job Evaluation Scheme. Subject to agreement to this request, the post can be advertised externally (or internally only if preferred). The recruitment exercise itself can take up to 3 months from date of advertisement to a new employee starting in post.

### **6.4 Risk Management**

The Council is responsible for compliance with the Social Housing Regulator, the risk if funding is rejected for the role is non-compliance.

### **6.5 Equalities and Diversity**

None

### **6.6 Health**

None

### **6.7 Climate Change**

None

## **7 Appendices**

None

## **8 Previous Consideration**

None

## 9 Background Papers

Update on Housing Regulatory Compliance, Leadership Team, 12th September 2023

**Contact Officer:** James Morgan  
**Telephone Number:** 01543 464 381  
**Ward Interest:** None  
**Report Track:** Cabinet: 12/10/23  
**Key Decision:** No

## Rent and Income Collection Policy

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	12 October 2023
<b>Report of:</b>	Head of Housing and Corporate Assets
<b>Portfolio:</b>	Housing

---

### 1 Purpose of Report

- 1.1 To introduce a Rent and Income Collection policy (attached at Appendix 1) to support tenants to pay their rent and ensure the Council maximises its rental income.

### 2 Recommendations

- 2.1 That Cabinet approves the Rent and Income Collection policy attached to this report at Appendix 1.

#### Reasons for Recommendations

- 2.2 To ensure the Council is responding to the challenges posed by social welfare policies, cost of living crisis and is minimising any negative impact on tenants.

### 3 Key Issues

- 3.1 This is the first time that the Income Policy been presented at Cabinet but due to Rent Standards being part of Economic standards that are regulated but the Regulatory of Social Housing, it is important that Cabinet is aware of the Policy.

### 4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priorities as follows:
- (i) **Priority 3: The Community** - collecting affordable rent charges that promote independent living, recognising the importance of budgeting and offering help to tenants who may struggle with paying their rent.
  - (ii) **Priority 4: Responsible Council** - by ensuring we are financially resilient because of the high level of income that is collected – by offering rents that are good value for money and improving the Council's social housing stock in particular: reducing poverty and social exclusion.

### 5 Report Detail

- 5.1 Rental income from Council properties is essential in supporting a wide range of housing services. It pays for the management, maintenance, and improvement of Council houses as well as a wide range of associated services. Maximising rental income is key to continuing to provide high quality housing and related Services.

- 5.2 The Council is currently one of the top performing organisations for rent recovery, within the Income Best Practice (Midlands and beyond) group. Current rent arrears at the end of July 2023 were £301,192 and that is 1.38% of collectable rent. In 2022/3 the Council collected £20,540,515 from both current and former tenants, which was a collection rate of 99.79%.
- 5.3 All reasonable and lawful attempts are made to recover all amounts due from residents. In the first instance this involves a combination of letters, emails, and phone call reminders, followed by legal notices, then court action and the last resort is eviction. At all stages of this process, tenants and residents are encouraged to comply with agreements, engage in voluntary arrangements to repay their arrears, to prevent the need for formal legal action. The new Policy will support this performance and ensure the Council remains able to maximise the collection of income.
- 5.4 The current documentation relating to rent recovery has been in place from 2012 and contains both Policy and Procedure and needs to be updated to ensure it remains fit for purpose and reflects important changes to social housing rent and the methods of collection.
- 5.5 The policy is an umbrella policy that supports current rent collection, former tenancy arrears, leasehold collection of charges and garage arrears.

### **Relevant Issues and Options**

- 5.6 Changes arising from Welfare Reform have resulted in significant challenges for the Council and its residents. The reforms have included the removal of the spare room subsidy (sometimes referred to as the Bedroom Tax), increased rates for non-dependant deductions and the introduction of the benefit cap. These benefit changes have resulted in reduced levels of income for some of our tenants. The continued changes to welfare benefits and migration to Universal Credit, poses a significant challenge to tenants moving from legacy benefits, how rent is paid in the future and the Council's rental income stream.
- 5.7 Experience of social landlords participating in the Universal Credit migration areas has shown that rent arrears levels have increased. It also increases the burden on staff who have had to take more recovery action to continue to secure rent payments. The Income Team during the pandemic had to develop new methods and tactics to support tenants who are struggling with changes.
- 5.8 The future is going to be challenging and the Income Team will have to plan carefully and respond in creative ways. This Policy provides the supporting framework for this to happen. In addition, a more detailed migration plan for tenants moving from legacy benefits to Universal Credit is being developed. This includes awareness raising for tenants (regarding benefit changes), coordinated money advice with external agencies, establishing robust processes with the Department of Work and Pensions (DWP) and smarter working arrears recovery targets.
- 5.9 The Policy is supported by procedures, guidance notes that is focused on the tenant as a customer, promoting a culture of payment as part of tenancies and lease agreements, partnership working with internal and external services to minimise arrears.



## **6 Implications**

### **6.1 Financial**

The income which will be generated from the rents, former tenancy arrears, leaseholders and garage sites had been included within the budgets for Housing Revenue Account for the period 2024-25 to 2025-26. The indicative budgets agreed were based on an indicative rent increase of 7% in 2023/24 for HRA properties.

### **6.2 Legal**

The legal requirements related to rent recovery are set out in the Housing Act 1985 as well as the rent arrears pre action protocol. These are the core requirements needed to satisfy the County Court before a possession order will be granted. This policy is consistent with the relevant legal requirements and ensures eviction action is a last resort, occurring rarely and only after a range of measures and interventions have been exhausted.

Section 24 Housing Act 1985 gives the power for Local Housing Authorities to review its rents and to make such reasonable charges as it determines for the tenancy or occupation of its properties, provided due regard is given to any relevant standards set for them under s.193 Housing & Regeneration Act 2008. The Rent Standard applies to low-cost rental accommodation as defined by s.69 of the 2008 Act. The lawfulness or otherwise of a Local Housing Authority's policy on rents may be challenged by way of Judicial Review.

### **6.3 Human Resources**

The Rent and Income Collection Policy will be delivered within existing resources. The staff team currently consists of an assistant Tenancy Services Manager, Team Leader, four Income Officer and 3.8 Housing Assistants, who monitor rent accounts, manage the Housing Reception, and liaise with tenants to ensure regular payments and working with third party agencies to provide more specialist assistance with income maximisation, and debt management.

### **6.4 Risk Management**

The timely collection of rent is critical for the Council to ensure that any monies owing are collected in a timely manner thus ensuring that tenants rent accounts remain manageable. The policy will protect the Council's reputation and ensure we meet the Housing regulatory standards.

### **6.5 Equalities and Diversity**

The Policy considers the needs of tenants from a variety of backgrounds as well as people with protected characteristics. An Equality Impact Assessment has been carried out to ensure that the Policy does not discriminate and disadvantage any tenants.

### **6.6 Health**

The costs of tenancy failure are high and have an impact on other Council services i.e., Homelessness, Social Services. Keeping tenants in their homes and helping

them to minimise debts will therefore remain a key priority for the Tenancy Services Team.

**6.7 Climate Change**

None.

**7 Appendices**

Appendix 1: Income Collection Policy

**8 Previous Consideration**

None.

**9 Background Papers**

Cabinet 26 January 2023: Rent Setting Policy - April 2023

**Contact Officer:** Howard Campbell

**Telephone Number:** 01543 464 499

**Ward Interest:** Housing

**Report Track:** Cabinet: 12/10/23

**Key Decision:** Yes



# **Housing Rent & Income Collection Policy**

Reviewed: October 2023

## **COVERAGE**

This policy applies to Cannock Chase Council

**DATE OF APPROVAL:** Cabinet 12<sup>th</sup> October 2023

**DATE OF REVIEW:** 12 months after Cabinet Approval

## Housing Rent and Income Collection

### Policy Statement

Cannock Chase Council owns and manages approximately 5045 general needs and sheltered housing properties. The Income Management Team forms part of the Tenancy Services Section within the Housing Service of the Council.

The Council operates a Housing Rent and Income Collection Policy which promotes the delivery of an open, fair, and consistent service.

### We aim to:

- Ensure that services are accessible to all current tenants, former tenants, garage licence holders and leaseholders by being **customer focused**.
- Ensure that all tenants receive full and accurate information on the level and composition of rent at the beginning of their tenancy and at each rent review to promote **a culture of payment**.
- Enable staff to deliver a good quality, fair and consistent service. Ensure that staff receive appropriate levels of training in relation to welfare benefits. **Work in partnership** where possible with Citizen Advice, Tenancy Support Scheme, Revenue and Benefits Service, Job Centre, Housing Options Team, and Social Services. Liaise with Housing Benefits and the Department for Works and Pensions to maximise benefit entitlements and income opportunities for tenants, leaseholders, and former tenants.
- Develop and maintain awareness of other successful income collection measures to **minimise rent arrears**.
- Provide tenancy sustainment assistance for those who **can't pay** and act against those who **won't pay**.

The Head of Housing and Corporate Assets is responsible for ensuring Council staff are appropriately trained and for the effective implementation of these policies. All procedures are regularly monitored and reviewed as part of our on-going commitment to ensure the Council is meeting the needs of our community.

### General

The effective control of income collection is a crucial element of financial management for the Council. Tenants' rent and management charge payments are the major source of income to meet our Housing Revenue Account (HRA) commitments i.e. management costs, repair costs and to make provision for future investment in our housing stock. The prevention, management and recovery of Rent income and arrears are a key element of our overall financial viability.

Failure to maintain an adequate income stream or the collection of income can put pressure on the Council's Housing Revenue Account (HRA). Therefore, the collection of debts from tenants, licensees, and leaseholders in an efficient and effective way ensures that the Council's key business objectives are met. Arrears are a major issue for tenants /leaseholders and the Council has a responsibility to prevent its customers

from accumulating arrears that may trap them within a cycle of poverty or lead to their eviction.

**Links to other Council Policies:**

Neighbourhood Management Policies

Tenancy Sustainment Strategy

Garages Income Collection Policy

Former Tenant Debt Procedure

Allocations Policy

Leasehold Management Guidance

**Information for tenants:**

Former Tenant Leaflet

How to pay your rent

**External sources:**

- [Department for Levelling Up, Housing & Communities - Rent Policy statement \(December 2022\)](#)
- [Social Housing Regulator - Rent Standard 2023](#)
- CLG Publication – HRA Self-Financing Determination (February 2012)
- CLG Publication – A Guide to Social Rent Reforms in the Local Authority Sector (February 2002)
- CLG Publication – Guidance on Rents for Social Housing (May 2014)
- Council Business Plan and Budget 2020+ (including HRA Business Plan 2020+)
- Policy statement on rents for social housing (February 2019)

**The Legal Framework**

- The Housing Act 1985, Part 4 (Sections 82 to 85) sets out the legislation on possession proceedings against tenants in rent arrears.
- The Housing Act 1996 (Sections 127 to 130) sets out the proceedings for possession of an Introductory Tenancy.
- Tenancy agreement or Lease
- Data Protection Legislation (including the General Data Protection Regulations and The Data Protection Act 2018) -sets standards for the gathering, checking, searching, and sharing of personal information.
- The Human Rights Act 1998- influences housing management functions, including Recovery of Possession Proceedings.

**Customer focus**

We will:

- Ensure that all tenants/ leaseholders receive full and accurate information on the level and composition of rent or charges at the beginning of their tenancy or the start of their lease and at each rent and management charge review.

- Clearly specify the amount of rent or charge that is due in the tenancy agreement or lease and when it is due.
- Ensure that every tenant and leaseholder is given good quality information about agencies that may be able to help, for example, through the provision of welfare benefit advice and debt counselling services.
- Encourage tenants to engage with our Tenancy Sustainment Service or Leaseholders to engage with the Leasehold Officer.

### **Promoting the culture of payment**

We will ensure:

- Rent payment options will be discussed and a payment method will be selected at allocation interview and confirmed at the accompanied viewing. Also, at the start of any lease agreement
- Direct Debit will be promoted as the Council's preferred payment method for most of our customers.
- Tenants and Leaseholders will be reminded of their obligation and that rent is paid in advance and **not** in arrears.
- Encourage tenants to register for Housing Online services, so they have instant access to their rent account details allowing them to check payments received and account balances.

### **Working in Partnership to promote advice and support.**

When tenants or leaseholders raise the issue of financial hardship, we will use a variety of support mechanisms, including:

- Signposting to a debt management agency
- Promotion of basic bank accounts and access to digital services, including the provision of training on digital skills
- Debt advice and referrals to Citizens Advice
- Provide support and help to sustain tenancies and work with other partners to promote independence and avoid customers experiencing debt and other financial problems.
- Working with, and the promotion of, other agencies and partners such as Credit Unions, Chase Advice, Citizen Advice, DWP, the voluntary and third sector organisations.
- Promotion of early action including pre-tenancy workshops, effective sign-up procedures, new tenant visits and tenancy audits
- Regular training updates for staff

### **Measures to Minimise Rent Arrears**

We will:

- Alert tenants or leaseholders of any arrears or an unacceptable payment pattern immediately after these arise.
- Encourage personal contact between tenants and leaseholder with Tenancy Services staff via text, web site, online services, social media, email, phone calls and

letters. These are key to successful prevention, control, and recovery. Most of the collection work by staff should involve personal contact with tenants.

- Secure lump-sum repayments wherever possible and if not possible, secure an agreement for payment of arrears that is affordable and based on knowledge of tenants' income and expenditure.
- When vulnerability is identified there will be a referral to Tenancy Sustainment Service to support the tenants with their tenancy.
- All new tenancies that fall into the following category will need an affordability/ Pre-tenancy assessment completed:
  - those in their first tenancy.
  - those who are aged under 25, receiving support or are vulnerable.
  - tenants who are formerly homeless, with a history of arrears or anti-social behaviour.
- All new tenants are visited by the Neighbourhood Officer within 4 to 8 weeks of taking up occupancy. New leaseholders will be contacted within 8 weeks of the start of their lease. This enables early identification of any problems and gives the tenant/leaseholder an opportunity to raise any issues they may wish clarified with staff. The Council aims to complete 100% of all New Tenancy Visits and new leaseholder contacts.
- Income Management Officers should refer tenants in arrears for interview by the Tenancy Sustainment Officer or Citizen Advice when arrears arise and at any point where they feel that a significant change of circumstances has occurred.
- Apply for arrears payment through direct deductions from Benefits (including Universal Credit) where the conditions for such deductions are met.

### **Can't pay**

We will continually review our processes to ensure they are effective, proactive, and fit for purpose:

- We believe that early contact is critical, and staff are aware of the requirement to contact customers at the earliest opportunity to alert them to any arrears and discuss the reason for this.
- We will use an affordability tool to assess tenants' circumstances and, if the tenant/leaseholder is unable to clear their arrears in full, agree an affordable and realistic repayment plan over a set period.
- We will refer and promote partnering agencies and signpost to other advice services where appropriate, e.g., external support providers.
- We will work closely with the Department for Work and Pensions and the Council's Revenue and Benefits Department to ensure that tenants and leaseholders receive appropriate advice and their full benefit entitlement.

### **Won't pay**

If a tenant or leaseholder continues to be in debt and fails or refuses to engage with us in adhering to a repayment schedule, we will:

- Start legal action as a last resort where all efforts to reach an agreement and to provide support and advice are exhausted and a customer's debt is not reducing.

- Ensure that the tenant understands the implications of non-payment and/or late payment and encourage them to engage in any legal proceedings. If eviction or repossession is unavoidable, we will refer tenants to the Housing Options team to help secure alternative accommodation.

### **Homelessness**

We will advise the Housing Options team of our intention to raise proceedings for possession and where repossession has been obtained against a tenant, we will contact both the Social Services and the Housing Options Team to make them aware of the situation.

### **Measures of our success in controlling income collection**

We aim to achieve our annual arrears targets which will be set within the Tenancy Services work planning process. The actions necessary to achieve this will be set out in annual personal development plans. Targets will be set for Key and General Performance Indicators and performance will be reported to the Housing Strategy and Service Improvement team and the Housing Management Team, as well as being included in the corporate performance reporting schedule. We will also compare our performance against the Midlands Rent and Income Registered Provider group and Housemark, a national benchmarking organisation.

### **Review**

We aim to review the policy every 5 years or if there is a substantial change in social welfare policy or legislation.

### **Equality Impact Assessment**

We will ensure that the service is delivered in a fair and accessible way to all our customers regardless of; age, gender, race, ethnicity, religion or sexual orientation, and due regard will be given to the Council's Public Sector Equality Duty.

For monitoring purposes, the Council includes Income Management within its key performance reporting data and monitor the number of evictions and arrears figures with quarterly reports to Leadership team.

An annual rent setting report will go to Cabinet and will prescribe how the Council will meet the Social Housing Regulator's Rent Standards.



# Housing Ombudsman Complaint Handling Code and Self-Assessment Form

<b>Committee:</b>	Cabinet
<b>Date of Meeting:</b>	12 October 2023
<b>Report of:</b>	Head of Housing and Corporate Assets
<b>Portfolio:</b>	Housing

---

## 1 Purpose of Report

- 1.1 To note the contents of the revised Housing Ombudsman Complaint Handling Code and the requirement to complete a self-assessment against the code.
- 1.2 To note the contents of the self-assessment form and its subsequent publication on the Council's website.

## 2 Recommendations

- 2.1 That Cabinet note:
  - (i) the implications of the Housing Ombudsman Complaint Handling Code and the outcomes from the self-assessment form; and
  - (ii) the self-assessment form is published on the Council's website.

### Reasons for Recommendations

- 2.2 To adhere to membership requirements of the Housing Ombudsman and its Complaint Handling Code by reporting the outcome of the self-assessment to Cabinet and that the self-assessment is published on the Council's website.

## 3 Key Issues

- 3.1 The Council is required to comply with the Housing Ombudsman's Complaint Handling Code, its latest revision being in March 2022 and applicable from 1 April 2022.
- 3.2 One of the implications is the completion of a self-assessment form against the Code. This self-assessment is attached as Appendix 3. The Ombudsman expects landlords to report the outcome of their self-assessment to their board members or, in the case of local authorities, elected members.
- 3.3 The Ombudsman expects landlords to carry out regular self-assessment against the Code and take appropriate action to ensure their complaint handling is in line with the Code.
- 3.4 The updated self-assessment finds that Housing Services continues to adhere to the vast majority of the requirements in the Code as a result of the provisions set out in the Corporate Customer Feedback and Complaints Procedure.

## **4 Relationship to Corporate Priorities**

- 4.1 This report supports the Council's Corporate Priorities as follows:
- (i) Adhering to the Complaint Handling Code will assist Housing Services in dealing with complaints and help achieve the Council's 'Responsible Council' priority by delivering Council services that are customer centred and accessible - giving choice to our customers in how they access our services - and to be accountable for our actions.

## **5 Report Detail**

- 5.1 The Housing Ombudsman Service (the Ombudsman) is set up by law to look at complaints about housing organisations that are registered with them. The Ombudsman resolve disputes involving tenants and leaseholders of social landlords (housing associations and local authorities) and voluntary members (private landlords and letting agents). The Council is a registered member.
- 5.2 The Ombudsman considers complaints using dispute resolution principles and encourage landlords and residents to use these principles so they can resolve complaints together at the earliest possible opportunity. To better enable this, the Ombudsman published their first Complaint Handling Code (the Code) in July 2020. Cabinet considered the original Code and a self-assessment on 28 January 2021.
- 5.3 The Ombudsman subsequently updated the Code in March 2022 to be applicable from 1 April 2022, attached as Appendix 1. The changes to the Code were minor in nature and did not affect the core requirements of the Code. An easy reference guide to the changes to the Code are covered in a summary document in Appendix 2. These changes are subsequently addressed within the updated self-assessment in Appendix 3.
- 5.4 While member landlords must comply with some elements of the Code, the Ombudsman recognises that each landlord will need to adapt its complaints policy and processes to meet the needs of its residents. Consequently, there are some areas where a landlord can use its discretion. In dealing with complaints, Housing Services are also required to adhere to the Council's Corporate Customer Feedback and Complaints Procedure, so the Code will be adhered to wherever possible, unless contradicted by the corporate complaints procedure.
- 5.5 As part of the Code landlords are obligated to undertake a self-assessment against the requirements set out. The self-assessment form is attached as Appendix 3. For the most part the Council's corporate Customer Feedback and Complaints Procedure already makes provision for the requirements set out by the Code.
- 5.6 As the Code contains a number of requirements and the vast majority of these are already being met as part of the existing corporate procedure, the following table will just detail the requirements that are not being met and how Housing Services plan to address them.

Code Reference	Requirement	Reasons not met	Proposal to address
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.	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.	No action, as per explanation.
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.	Not currently done, but intend to roll out in 2024/25 when staff resources increased.	As per explanation, roll out satisfaction surveys in 2024/25 if not sooner.
7.4	As a minimum, governing bodies should receive: <ul style="list-style-type: none"> <li>• Regular updates on the volume, categories, and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders.</li> <li>• Regular reviews of issues and trends arising from complaint handling,</li> <li>• The annual performance report produced by the Ombudsman, where applicable</li> <li>• Individual complaint outcomes where necessary, including where the Ombudsman made</li> </ul>	Not to the extent detailed, complaint handling information is presented to Cabinet in the form of number received and upheld overall for the Council, not specific to housing.  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 as required.	Annual report to Cabinet on Housing complaints, to include the minimum requirements as outlined.

Code Reference	Requirement	Reasons not met	Proposal to address
	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.		
8.1	Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.	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 year's review was conducted later than usual.	Self-assessment will be carried out annually and combined with the above performance report to tie all together.

5.7 In July 2023, the Social Housing (Regulation) Act received Royal Assent in Parliament, making a host of reforms to housing sector law. One of these reforms will be to provide powers for the Housing Ombudsman to set and monitor compliance with its Complaint Handling Code. It can also issue guidance on good practice and require scheme members to review policies and procedures against this, on matters where they have received complaints.

5.8 The Housing Ombudsman will shortly issue a consultation on the Complaint Handling Code which will strengthen the Ombudsman's role in developing its good practice guidance and challenging landlords to improve services in line with this, such as the time taken to respond to repairs. Housing Services will consider the consultation and respond as appropriate. Any subsequent changes to the code will be adhered to as appropriate.

## 6 Implications

### 6.1 Financial

None

## 6.2 Legal

As detailed above, the Council is obliged to adhere to the requirements of the Housing Ombudsman as a registered member.

## 6.3 Human Resources

None

## 6.4 Risk Management

None

## 6.5 Equalities and Diversity

None

## 6.6 Health

None

## 6.7 Climate Change

None

## 7 Appendices

Appendix 1: The Housing Ombudsman's Complaint Handling Code (applicable from 1 April 2022)

Appendix 2: Complaint Handling Code changes – easy reference guide

Appendix 3: Housing Ombudsman Complaint Handling Code: Self-Assessment Form 2023/24.

## 8 Previous Consideration

Cabinet - 28 January 2021

## 9 Background Papers

None

**Contact Officer:** James Morgan

**Telephone Number:** 01543 464 381

**Ward Interest:** None

**Report Track:** Cabinet 12/10/23

**Key Decision:** No

# Housing

Ombudsman Service

# The Housing Ombudsman's Complaint Handling Code

**Date published: 9 March 2022**

**Date applicable: 1 April 2022**

## Contents

Introduction .....	3
The complaints process .....	4
1. Definition of a complaint .....	4
Exclusions.....	4
2. Accessibility and awareness.....	5
3. Complaint handling personnel.....	6
4. Complaint handling principles.....	6
5. Complaints stages.....	8
Stage 1 .....	8
Stage 2 .....	9
Stage 3 .....	10
6. Putting things right.....	11
7. Continuous learning and improvement.....	12
Self-assessment and compliance.....	13
8. Self-assessment.....	13
9. Compliance .....	14
Appendix A – Service request or complaint – flow charts and case studies.....	15
Appendix B – Self-Assessment Form.....	21

## Introduction

An effective complaints process enables a landlord to learn from the issues that arise for residents and to take steps to improve the services it provides. Complaint handling performs an important strategic role for an organisation, providing vital intelligence on its performance, culture and reputation.

Some landlords see complaints as a form of negative feedback. However, there are many benefits to be gained from having an effective and efficient complaints process:

- Complaints allow an issue to be resolved before it becomes worse. Those issues not resolved quickly can take significant resource and time to remedy.
- Involvement in complaint resolution develops staff ownership, decision-making and engagement.
- Complaints provide senior staff with essential insight into day-to-day operations allowing them to assess effectiveness and drive a positive complaint handling culture.
- Good complaint handling promotes a positive landlord and resident relationship.

The Ombudsman's Complaint Handling Code sets out requirements for member landlords that will allow them to respond to complaints effectively and fairly. The purpose of the Code is to enable landlords to resolve complaints raised by their residents quickly and to use the data and learning from complaints to drive service improvements. It will also help to create a positive complaint handling culture amongst staff and residents. Compliance with the Code forms part of the membership obligations set out in the Housing Ombudsman Scheme and our [Complaint Handling Failure Order Guidance](#) sets out in detail what actions the Ombudsman will take on any failure to comply with the Code or the Scheme.

The Code seeks to be prescriptive only where the Ombudsman believes clear and consistent practice by all landlords is essential. These elements are indicated by the word 'must'. The Ombudsman recognises that each landlord will need to adapt its complaints policy and processes to meet the needs of its residents. Consequently, there are some areas where a landlord can use its discretion, either for all residents or on a case-by-case basis, to achieve best practice in complaint handling indicated by the word 'should'.

Landlords will be asked to self-assess against the Code annually on a 'comply or explain' basis and publish this on their website. Non-compliance could result in the Ombudsman issuing complaint handling failure orders. Separate guidance on these has been published by the Ombudsman and is available on our website

The Code will act as a guide for residents setting out what they can and should expect from their landlord when they make a complaint. The requirements in the Code also provide residents with information about how to make a complaint and how to progress it through their landlord's internal complaints procedure.



The Code supports the regulatory approach to complaints ensuring that a landlord's approach to complaints is clear, simple and accessible and ensures that complaints are resolved promptly, politely and fairly.

## The complaints process

### 1. Definition of a complaint

- 1.1 Effective complaint handling enables residents to be heard and understood. The starting point for this is a shared understanding of what constitutes a complaint.
- 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.'*
- 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.
- 1.4 Landlords should recognise the difference between a **service request** and a **complaint**. A service request is a request from a resident to their landlord requiring action to be taken to put something right. Service requests should be recorded, monitored and reviewed regularly. A complaint should be raised when the resident raises dissatisfaction with the response to their service request. For further guidance on how to decide whether the approach is a service request or a complaint, see our flow charts and example case studies in Appendix A.
- 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.
- 1.6 Chasers on a service request, such as a missed appointment, can often be resolved 'there and then' with an apology and the provision of another appointment and may not need to enter the complaints system. However, if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.

### Exclusions

- 1.7 A landlord must accept a complaint unless there is a valid reason not to do so.
- 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. For example:

- The issue giving rise to the complaint occurred over six months ago. However, it may not be appropriate to exclude any complaints that concern safeguarding or health and safety issues.
  - Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
  - Matters that have previously been considered under the complaints 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. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may instruct the landlord to take on the complaint.

## 2. Accessibility and awareness

- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 2.7 Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.
- 2.8 Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted. This affords the resident the opportunity to engage with the Ombudsman's dispute support advisors for impartial advice.

### **3. Complaint handling personnel**

- 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". For some organisations, particularly smaller landlords, the Ombudsman recognises that this role may be in addition to other duties. The role is responsible for ensuring that appropriate arrangements are in place for liaison with the Housing Ombudsman and appropriate cover exists to ensure consistency of service.
- 3.2 The complaints officer may allocate complaints handling to another person. Where this is the case, the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.
- 3.3 Effective complaint handling skills are one of the most important factors in ensuring that the complaints handling works well. 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 staff at all levels to facilitate quick resolution of complaints
  - have the authority and autonomy to act to resolve disputes quickly and fairly.
- 3.4 Residents are more likely to be satisfied with complaint handling if the person dealing with their complaint is competent, empathetic and efficient.

### **4. Complaint handling principles**

- 4.1 The Ombudsman encourages the early and local resolution of issues between landlords and residents and recognises that there may be times appropriate action can be agreed immediately. 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**.

- 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.
- 4.3 Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic.
- 4.4 A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the resident and whether there are any urgent actions required.
- 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.
- 4.6 A complaint investigation must be conducted in an impartial manner, seeking sufficient, reliable information from both parties so that fair and appropriate findings and recommendations can be 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.
- 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 and seek clarification before doing so where this is not initially clear.
- 4.9 Communication with the resident should not generally identify individual members of staff or contractors as their actions are undertaken on behalf of the landlord.
- 4.10 Landlords should keep residents regularly updated about the progress of the investigation even where there is no new substantive information to provide.

- 4.11 Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication.
- 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:
- set out their position
  - comment on any adverse findings before a 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.
- 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.
- 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.
- 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.
- 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.
- 4.18 Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a 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.

## 5. Complaints stages

### Stage 1

- 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.

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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 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 stage two if the resident is not satisfied with the answer

## **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.

- 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.
- 5.11 Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.
- 5.12 The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.
- 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.
- 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.
- 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.
- 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.

### 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.

- 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.
- 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.
- 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

## 6. Putting things right

- 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. These can include:
- acknowledging where things have gone wrong
  - providing an explanation, assistance or reasons
  - apologising
  - taking action if there has been a delay
  - reconsidering or changing a decision
  - amending a record
  - providing a financial remedy
  - changing policies, procedures or practices.
- 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.



- 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.
- 6.4 Factors to consider in formulating a remedy can include, but are not limited to, the:
- length of time that a situation has been ongoing
  - frequency with which something has occurred
  - severity of any service failure or omission
  - number of different failures
  - cumulative impact on the resident
  - resident's particular circumstances or vulnerabilities.
- 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.
- 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.
- 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.
- 6.8 For further information on remedies please see <https://www.housing-ombudsman.org.uk/about-us/corporate-information/policies/dispute-resolution/policy-on-remedies/>

## **7. Continuous learning and improvement**

- 7.1 A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes, the quality of the service provided, the ability to learn and improve, and the relationship with their residents. The Ombudsman encourages landlords to use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.
- 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.
- 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.

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.

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.

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.

## Self-assessment and compliance

### 8. Self-assessment

8.1 Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.

8.2 Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.

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

8.4 The Ombudsman may require landlords to repeat the self-assessment following a formal investigation if there are significant concerns over the landlord's complaint handling.

## 9. Compliance

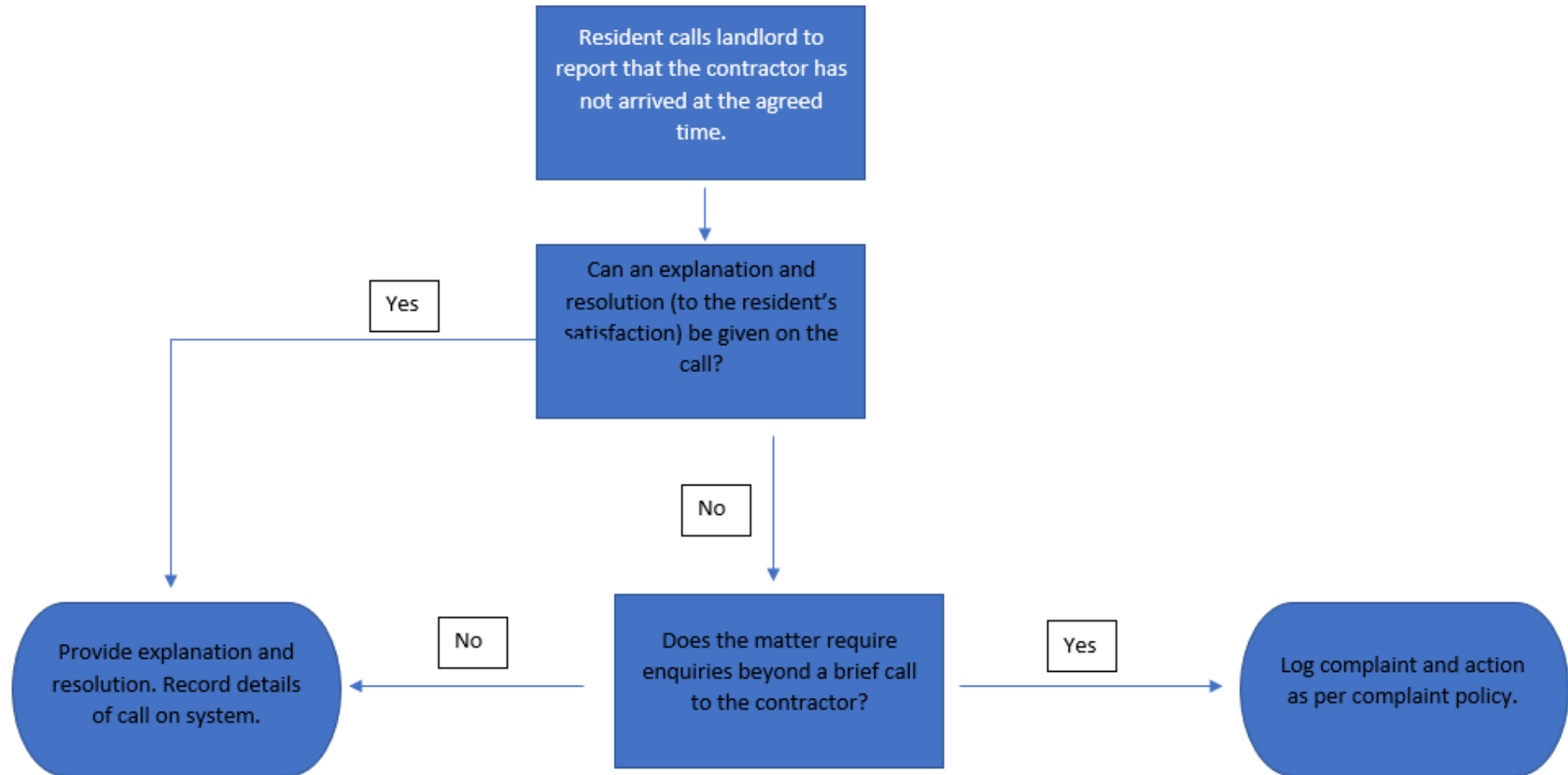
9.1 Under the Housing Ombudsman Scheme a member landlord must:

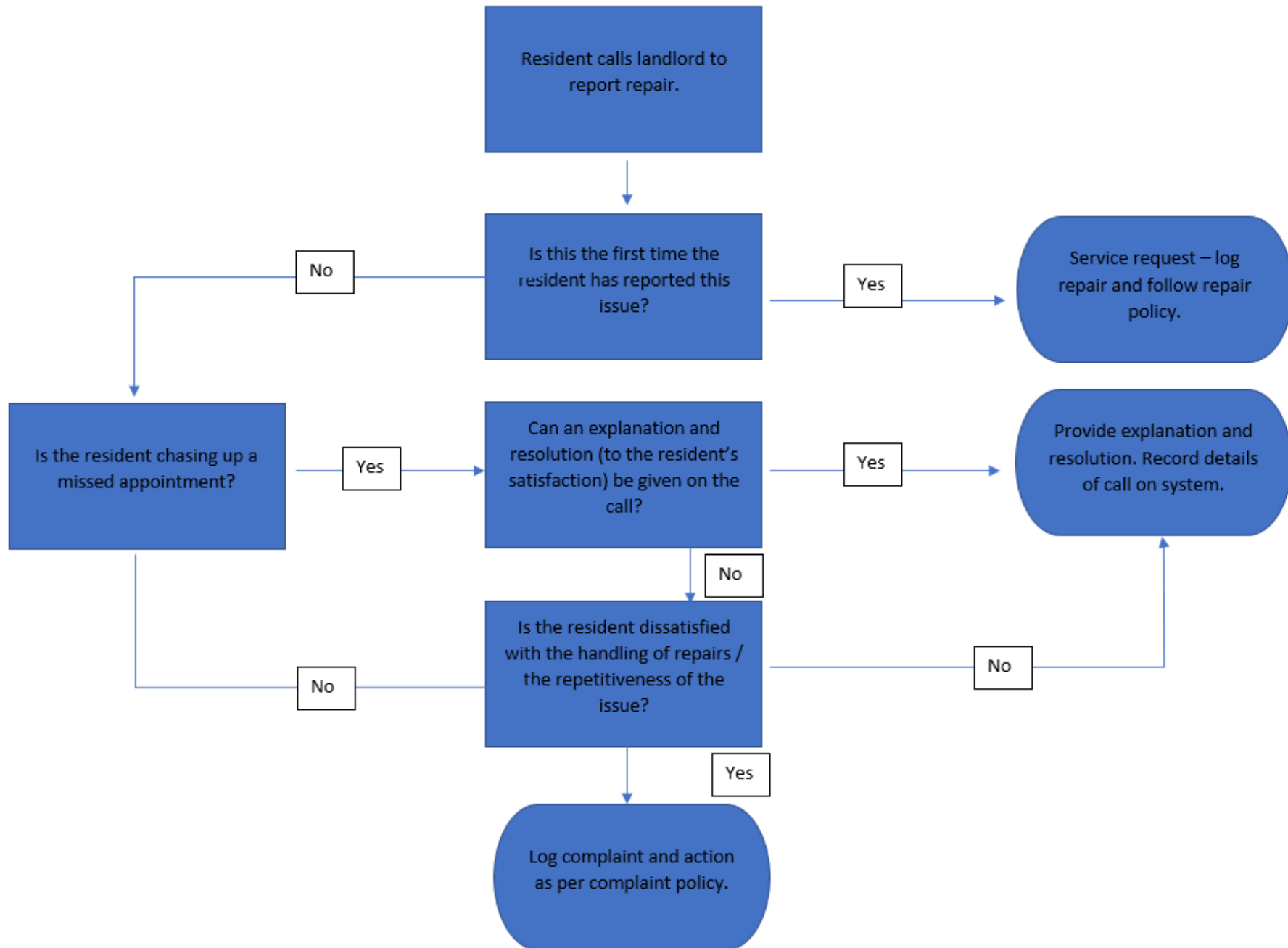
- agree to be bound by the terms of the Scheme
- establish and maintain a complaints procedure in accordance with any good practice recommended by the Ombudsman
- as part of that procedure, inform residents of their right to bring complaints to the Ombudsman under the Scheme
- publish its complaints procedure and where applicable, its membership of the Scheme, and make information about both easily accessible to those entitled to complaints on its website and in correspondence with residents
- manage complaints from residents in accordance with its published procedure or, where this is not possible, within a reasonable timescale.

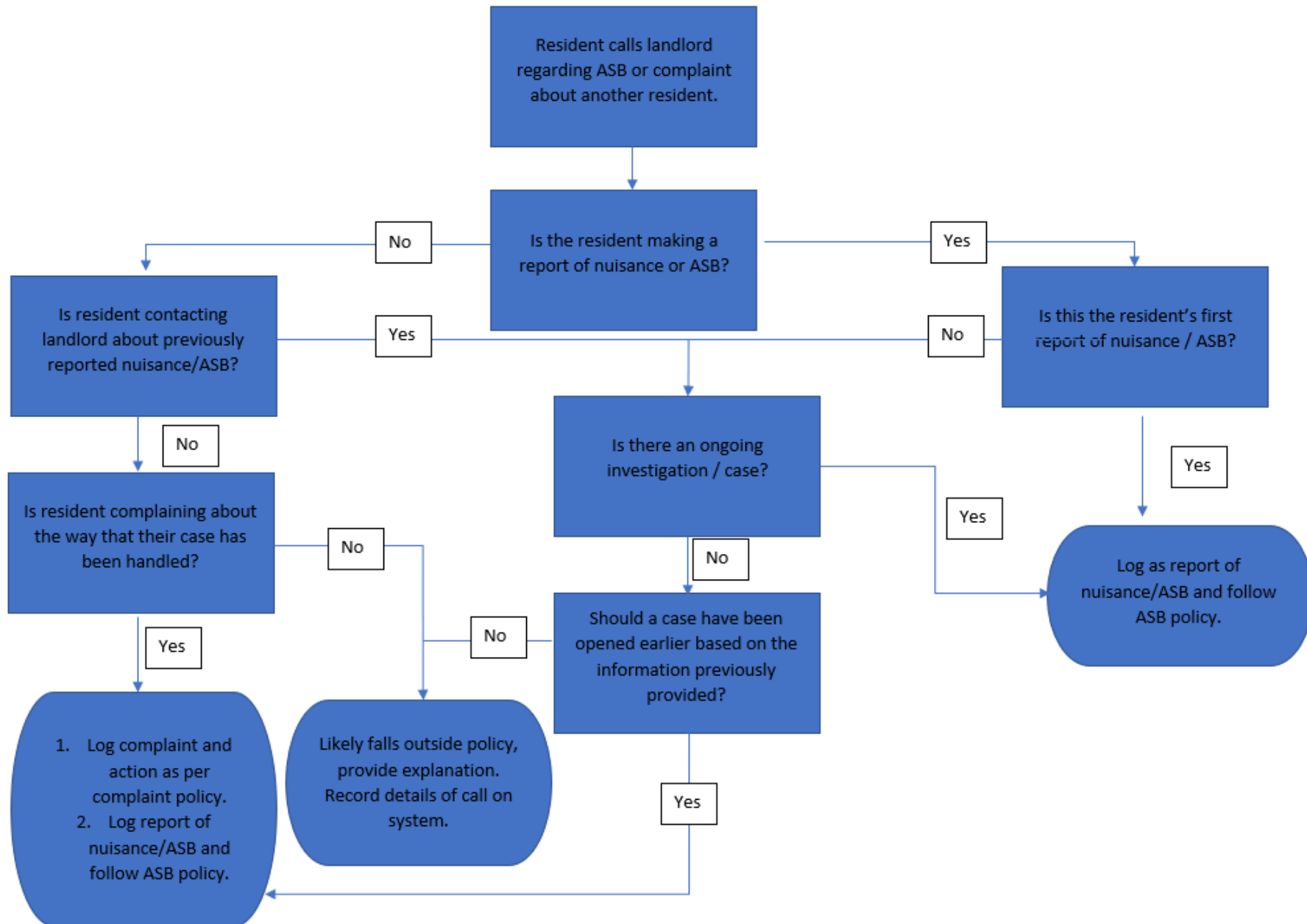
9.2 Failure to comply with the conditions of membership may result in a Complaint Handling Failure Order and a requirement to rectify within a given timescale (paragraphs 13 and 73 of the Housing Ombudsman Scheme). Full details of when the Ombudsman will determine that there has been a complaint handling failure can be found in our [guidance document](#).

9.3 When carrying out a complaint investigation the Ombudsman will consider whether the landlord dealt with the complaint in accordance with the Code. Any failure identified could result in a finding of service failure, maladministration or severe maladministration for complaint handling and orders and recommendations will be made to put matters right and ensure compliance with the Code.

## Appendix A – Service request or complaint – flow charts and case studies







### Case study A – Resident calls to report contractor has not arrived at the agreed time

Ms B calls her landlord to report that the contractor that was due to attend her property that morning has not arrived. Ms B is not happy as she had taken the morning off work for the appointment. The call handler checks the system but is unable to explain to Ms B why the contractor did not arrive. The call handler asks Ms B if they can try and contact the contractor and call her back within the next hour. Ms B agrees. The call handler speaks to the contractor who explains they were held up at another job that took longer than expected. The call handler calls Ms B, explains the situation, and apologises. The call handler offers Ms B another appointment at a time that suits Ms B, and Ms B is satisfied with the explanation and resolution.

*This is an example of a 'there and then' situation where the resident may be dissatisfied with the service provided on that morning, but the landlord is able to quickly resolve the issue to the resident's satisfaction with minimal further enquiries. Whilst this does not need logging as a complaint, the landlord should keep a record of the call and should consider if there is any learning (i.e. should the landlord have been informed the contractor was delayed so it could alert Ms B and any other affected residents)*

### Alternative scenario

Ms B calls her landlord to report that the contractor that was due to attend her property that morning has not arrived. Ms B is not happy as she had taken the morning off work for the appointment. The call handler checks the system but cannot see an appointment for Ms B that day. Ms B is adamant she had an appointment that morning and explains she received a text message from the landlord with the date and timeframe. The call handler is unable to explain to Ms B why there was no appointment on the system and offers its apologies. The call handler also arranges another appointment and advises Ms B that it has opened a complaint on her behalf.

*Whilst the landlord can offer Ms B another appointment, it is unable to adequately explain why Ms B was told a contractor would attend that morning when there is no appointment on its systems. The landlord will need to investigate why this has happened, which could involve interrogating the system and speaking with other departments. Whilst Ms B may have been satisfied with a further appointment, a positive complaints handling culture would explore why this has happened to try to put it right for the resident and to learn from any mistakes.*

## Case study B – Resident calls to report a repair

Mr D calls the landlord to report a leak from one of his radiators. Mr D says the radiator has been leaking for a few months, but it has recently got worse. Although it has been leaking for a few months, this is the first time Mr D has contacted his landlord about it.

*This is a service request and should be handled in accordance with the landlord's repairs policy.*

### Alternative scenario A

Mr D calls the landlord regarding a leak from one of his radiators. Mr D says the radiator has been leaking for a few months and has recently got worse. Mr D tells the call handler that he has reported the leak several times and he was told each time that someone would come out to inspect the radiator, but he has never had an appointment, and no one has been out so far. He explains that his carpet underneath the radiator is starting to smell damp because of the leak. The call handler can see that Mr D has reported the issue several times but is unable to explain why it was never followed up. The call handler arranges an appointment for Mr D and opens a complaint case for Mr D.

*Whilst this is a service request, it is also clear from the information that this repair has been reported several times before and the landlord has not acted on the report, which is potentially a breach of its repairs policy. Although Mr D has not specifically said he wants to make a complaint, there has been a failure in the landlord's service that should be investigated and put right. The landlord should also explore any learning opportunities.*

### Alternative scenario B

Mr D calls the landlord regarding a leak from one of his radiators. Mr D says the radiator has been leaking for a few months and has recently got worse. Mr D tells the call handler that he has reported the leak several times and each time someone comes out they tell him they will do a temporary repair but that he needs a new radiator. Mr D tells the call handler he has been repeatedly told that the contractor will raise a job for a new radiator to be fitted but he has never heard anything. Mr D says he feels like he is going round in circles and that he thinks the landlord is trying to save money by not fitting a new radiator. The call handler checks the repair notes and can see that previous contractors have recommended a new radiator is fitted. The call handler raises a job for a new radiator and opens a complaint case for Mr D.

*Although the resident has not asked to make a complaint, it is clear from the conversation that he is dissatisfied with the level of service he has received from the landlord. It is also clear that something is not working as it should do within the landlord's process, which should be investigated as part of the complaint.*



## Case Study C – Resident calls to report noise nuisance/ASB

Mr A calls his landlord to report that his neighbour has been playing music at an excessive volume late into the night, which has stopped him and his family from being able to sleep. Mr A says this has been affecting his work and his children's school. He tells the landlord that he has tried speaking to his neighbour about it, but the neighbour was aggressive and abusive to him. Mr A would like the landlord to do something about the noise.

*This is a report of noise nuisance / ASB. The landlord should explain the ASB procedure to Mr A and clearly outline what the next steps are. The landlord should follow its ASB policy in responding to this allegation.*

Two months later Mr A calls his landlord again. He explains that the loud music has continued, and the neighbour has escalated to being abusive and aggressive whenever they see each other. Mr A tells his landlord that this is impacting on his mental health, and he is worried that it could escalate further. Mr A tells his landlord that he has reported some instances to the police, and he has filled in the diary sheets as the landlord has asked. The landlord confirms it will add this new information to Mr A's case file. The landlord contacts Mr A and provides an update on the ASB case, confirming it has spoken with the neighbour and is engaging with the police in relation to Mr A's reports. Mr A agrees to continue reporting issues as per the landlord's request.

*Although the neighbour's behaviour is escalating, the landlord continues to work with Mr A and to investigate the allegations in accordance with its policy. It is providing updates to Mr A and is working with other local agencies (i.e. the police) to resolve the matter.*

### Alternative scenario

Two months after his initial report, Mr A calls his landlord. He explains that the loud music has continued, and the neighbour has escalated to being abusive and aggressive whenever they see each other. Mr A tells his landlord that he has reported some instances to the police, and he has filled in the diary sheets as the landlord has asked but he has not heard anything from the landlord since his initial report. Mr A tells the landlord that he has done everything asked of him, but the landlord has not done anything and has left him and his family to live in fear of his neighbour. Mr A tells his landlord that this is impacting on his mental health, and he is worried that it could escalate further.

*The landlord has not responded to Mr A's initial report of ASB, therefore as well as following up on the reports of ASB as per the ASB policy, the landlord should also open a complaint case to look at its handling of Mr A's reports of ASB.*

## 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

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>		
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.		
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.		
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.		
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.		

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.		
-----	--	--	--

### 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 <b>service request</b> , where a resident may be unhappy with a <b>situation</b> that they wish to have rectified, and a <b>complaint</b> about the <b>service</b> they have/have not received.		
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.		

### 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.		

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.		
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.		
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.		
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.		
2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.		
2.8	Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted.		

**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.		

**Section 3 - Complaint handling personnel****Mandatory ‘must’ requirements**

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.1	Landlords must have a person or team assigned to take responsibility for complaint handling to ensure complaints receive the necessary attention, and that these are reported to the governing body. This Code will refer to that person or team as the “complaints officer”.		
3.2	...the complaint handler appointed must have appropriate complaint handling 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"> <li>• be able to act sensitively and fairly</li> <li>• be trained to handle complaints and deal with distressed and upset residents</li> <li>• have access to staff at all levels to facilitate quick</li> </ul>		

	resolution of complaints <ul style="list-style-type: none"> <li>• have the authority and autonomy to act to resolve disputes quickly and fairly.</li> </ul>		
--	---	--	--

## Section 4 - Complaint handling principles

### Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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 <b>within five days of receipt.</b>		
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.		
4.6	A complaint investigation must be conducted in an impartial manner.		

4.7	<p>The complaint handler must:</p> <ul style="list-style-type: none"> <li>• deal with complaints on their merits</li> <li>• act independently and have an open mind</li> <li>• take measures to address any actual or perceived conflict of interest</li> <li>• consider all information and evidence carefully</li> <li>• keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.</li> </ul>		
4.11	<p>Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication</p>		
4.12	<p>The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:</p> <ul style="list-style-type: none"> <li>• set out their position</li> <li>• comment on any adverse findings before a final decision is made.</li> </ul>		
4.13	<p>A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint</p>		
4.14	<p>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.</p>		
4.15	<p>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</p>		

	correspondence with the resident, correspondence with other parties and any reports or surveys prepared.		
<b>4.18</b>	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.		

### Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
<b>4.3</b>	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic		
<b>4.4</b>	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.		
<b>4.5</b>	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.		
<b>4.8</b>	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.		
<b>4.9</b>	Communication with the resident should not generally identify individual members of staff or contractors.		
<b>4.10</b>	Landlords should keep residents regularly updated about the progress of the investigation.		
<b>4.16</b>	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.		
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		
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.		

## 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 <b><u>within 10 working days</u></b> of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.		
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.		
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.		
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"> <li>• the complaint stage</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> <li>• details of how to escalate the matter to stage two if the resident is not satisfied with the answer</li> </ul>		
--	--	--	--

## Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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.		
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.		
5.11	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.		
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.		

5.13	Landlords must respond to the stage two complaint <b><u>within 20 working days</u></b> of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.		
5.16	<p>Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:</p> <ul style="list-style-type: none"> <li>• the complaint stage</li> <li>• the complaint definition</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> </ul> <p><b>and</b></p> <ul style="list-style-type: none"> <li>• if the landlord has a third stage, details of how to escalate the matter to stage three</li> <li>• if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.</li> </ul>		

### 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.		
5.20	<p>Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language:</p> <ul style="list-style-type: none"> <li>• the complaint stage</li> </ul>		

	<ul style="list-style-type: none"> <li>• the complaint definition</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> <li>• details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied</li> </ul>		
--	---	--	--

### 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.		
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.		
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.		
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.		

**Stage 2**

<b>Code section</b>	<b>Code requirement</b>	<b>Comply: Yes/No</b>	<b>Evidence, commentary and any explanations</b>
<b>5.14</b>	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.		
<b>5.15</b>	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		

**Stage 3**

<b>Code section</b>	<b>Code requirement</b>	<b>Comply: Yes/No</b>	<b>Evidence, commentary and any explanations</b>
<b>5.18</b>	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint <b><u>within 20 working days</u></b> of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.		
<b>5.19</b>	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.		

## 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.		
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.		
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.		
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.		

### 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.		
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.		

## Section 7 - Continuous learning and improvement

### Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.2	Accountability and transparency are integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.		

### 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.		
7.4	As a minimum, governing bodies should receive: <ul style="list-style-type: none"> <li>• Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders</li> <li>• Regular reviews of issues and trends arising from complaint handling,</li> <li>• The annual performance report produced by the Ombudsman, where applicable</li> <li>• Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.</li> </ul>		

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.		
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"> <li>• have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments</li> <li>• take collective responsibility for any shortfalls identified through complaints rather than blaming others</li> <li>• act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing.</li> </ul>		

## 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.		
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.		
8.3	Following each self-assessment, a landlord must: <ul style="list-style-type: none"> <li>• report the outcome of their self-assessment to their governing body. In the case of local authorities, self-assessment outcomes should be reported to elected members</li> <li>• publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents</li> <li>• include the self-assessment in their annual report section on complaints handling performance</li> </ul>		



## Complaint Handling Code changes – easy reference guide

Notes: The structure of the Code has changed, and we no longer refer to Part A, Part B and Part C. This easy reference guide does not list every change as most changes are minor in nature and have not affected the core requirements of the Code.

Code Heading	Paragraph	Difference
Introduction	N/A	Where the Code refers to something landlords 'must' do, this is a requirement. Where the code refers to something landlords 'should' do, landlords are able to use their discretion to achieve best practice in complaint handling.
	N/A	Landlords are required to self-assess against the Code annually on a 'comply or explain' basis and publish this on their website. Non-compliance could result in the Ombudsman issuing a complaint handling failure order.
The complaints process – Definition of a complaint	1.2	Use of the Ombudsman's definition of a complaint is now mandatory.
	1.3	Complaints that are submitted via a third party or representative, such as an MP, should still be handled in line with the landlord's complaints policy.
	1.4	Guidance around when chasers on a service request are considered a complaint.
Exclusions	1.8	Clarity around what constitutes legal proceedings.
Accessibility	2.1	Clarity about the various channels we expect residents to be able to submit a complaint to their landlord and that landlords must provide more than one route of access to the complaints system. Acknowledgement that not all avenues are necessary and that some channels may not be ones a landlord chooses to use.

	2.5	Reasonable adjustments policies and the Equality Act.
	2.6	Publicising the complaints policy and process, the Complaint Handling Code, and the Housing Ombudsman Scheme in a variety of mediums.
	2.7/2.8	Provision of contact information for the Ombudsman and early advice about residents' rights to access the Housing Ombudsman Service to residents are now mandatory
<b>Complaint handling personnel</b>	3.1/3.2	Clarity around responsibility for complaints handling.
<b>Complaint handling principles</b>	4.1	Clarity about the handling of a complaint once recorded. Five working days to acknowledge and log a complaint from the date of receipt.
	4.13	The timescales for a resident to request escalation of a complaint must be included in the complaints policy.
	4.14	Reasons for refusing to escalate a complaint.
	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.
<b>Complaint stages – Stage 1</b>	5.1	10 working days for response at stage one starts from the date the complaint is logged.
	5.3/5.15/5.19	Provision of the Ombudsman's details if extensions cannot be agreed.
	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.

	5.5	The complaint response must be sent to the resident when the answer to the complaint is known. It must not be delayed until any outstanding actions are completed. Outstanding actions should be tracked and updates provided to the resident.
	5.7	Clarification regarding when additional complaints can be incorporated into the stage one response.
<b>Stage 2</b>	5.11	Complaints must only be escalated to stage two if it has been responded to at stage one and at the resident's request.
	5.12	The person considering the complaint at stage two, must not be the same as the person that considered the complaint at stage one.
<b>Stage 3</b>	5.17	If landlords strongly believe a third stage is necessary, they must set out their reasons in the self-assessment. More than three stages is not acceptable under any circumstances.
<b>Continuous learning and improvement</b>	7.3	Expectation that a member of the governing body is appointed to have lead responsibility for complaints.
	7.4	Expectation of what information governing bodies should receive about complaints.
	7.6	Expectation that landlords should have a standard objective for all employees in relation to complaint handling.
<b>Self-assessment and Compliance – Self-assessment</b>	8.1	Landlords must complete an annual self-assessment against the Code.
	8.3	Requirements of landlords following self-assessment.

## 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"> <li>• if you are unhappy with a service we have provided or we have failed to provide that service.</li> <li>• if a member of our staff has been rude or unhelpful.</li> <li>• if we have not followed our own policies and procedures resulting in a negative outcome.</li> </ul>
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.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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	<p>As per Procedure  <a href="https://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right">https://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right</a> :</p> <p>The following will not be treated as a complaint;</p> <ul style="list-style-type: none"> <li>• If you disagree with a decision of the Council, which has been taken in accordance with our policies and procedures.</li> <li>• 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.</li> <li>• There are other processes more suitable for dealing with them such as statutory appeal or tribunal process;</li> <li>• 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 (<a href="http://www.staffordshire.gov.uk">www.staffordshire.gov.uk</a>);</li> <li>• There are separate legal or regulatory requirements covering these services.</li> <li>• 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.</li> </ul>
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 <b>service request</b> , where a resident may be unhappy with a <b>situation</b> that they wish to have rectified, and a <b>complaint</b> about the <b>service</b> they have/have not received.	Yes	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 <a href="mailto:ceoformalenquiries@cannockchasedc.gov.uk">ceoformalenquiries@cannockchasedc.gov.uk</a> , 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. <a href="https://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right">https://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right</a>
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'.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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 <a href="http://www.cannockchasedc.gov.uk/residents/housing/housing-complaints-and-compliments">www.cannockchasedc.gov.uk/residents/housing/housing-complaints-and-compliments</a> And in annual report to tenants <a href="http://www.cannockchasedc.gov.uk/residents/housing/housing-services-annual-report">/www.cannockchasedc.gov.uk/residents/housing/housing-services-annual-report</a>
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 refer to that person or team as the "complaints officer".	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.
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"> <li>• be able to act sensitively and fairly</li> <li>• be trained to handle complaints and deal with distressed and upset residents</li> <li>• have access to staff at all levels to facilitate quick resolution of complaints</li> <li>• have the authority and autonomy to act to resolve disputes quickly and fairly.</li> </ul>	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 <b>within five days of receipt.</b></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 clarification and the full definition agreed between both parties.</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>
4.6	<p>A complaint investigation must be conducted in an impartial manner.</p>	Yes	<p>Managers and HoS conduct in an impartial manner.</p>

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.7	<p>The complaint handler must:</p> <ul style="list-style-type: none"> <li>• deal with complaints on their merits</li> <li>• act independently and have an open mind</li> <li>• take measures to address any actual or perceived conflict of interest</li> <li>• consider all information and evidence carefully</li> <li>• keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.</li> </ul>	Yes	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"> <li>• set out their position</li> <li>• comment on any adverse findings before a final decision is made.</li> </ul>	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><a href="http://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right">www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right</a></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	Wouldn't unreasonable refuse, and any reasons for declining would be based on those detailed in 1.8.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.15	A full record must be kept of the complaint, any review and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.	Yes	Records are kept of each stage, communication and responses.
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	As per 'Unreasonably Persistent and/or vexatious complaints and unreasonable behaviour' at bottom of page <a href="http://www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right">www.cannockchasedc.gov.uk/council/about-us/customer-feedback-help-us-get-it-right</a>

### 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.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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 <b>within 10 working days</b> of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	Defined in the procedure
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.

<b>Code section</b>	<b>Code requirement</b>	<b>Comply: Yes/No</b>	<b>Evidence, commentary and any explanations</b>
<b>5.6</b>	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.
<b>5.8</b>	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"> <li>• the complaint stage</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> <li>• details of how to escalate the matter to stage two if the resident is not satisfied with the answer</li> </ul>	Yes	Responses include these details.

**Stage 2**

<b>Code section</b>	<b>Code requirement</b>	<b>Comply: Yes/No</b>	<b>Evidence, commentary and any explanations</b>
<b>5.9</b>	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.
<b>5.10</b>	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.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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 <b>within 20 working days</b> of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	As per procedure.
5.16	<p>Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:</p> <ul style="list-style-type: none"> <li>• the complaint stage</li> <li>• the complaint definition</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> </ul> <p><b>and</b></p> <ul style="list-style-type: none"> <li>• if the landlord has a third stage, details of how to escalate the matter to stage three</li> <li>• if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.</li> </ul>	Yes	Responses include these details.

**Stage 3**

<b>Code section</b>	<b>Code requirement</b>	<b>Comply: Yes/No</b>	<b>Evidence, commentary and any explanations</b>
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"> <li>• the complaint stage</li> <li>• the complaint definition</li> <li>• the decision on the complaint</li> <li>• the reasons for any decisions made</li> <li>• the details of any remedy offered to put things right</li> <li>• details of any outstanding actions</li> <li>• details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied</li> </ul>	N/A	

**Best practice 'should' requirements****Stage 1**

<b>Code section</b>	<b>Code requirement</b>	<b>Comply: Yes/No</b>	<b>Evidence, commentary and any explanations</b>
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.

<b>Code section</b>	<b>Code requirement</b>	<b>Comply: Yes/No</b>	<b>Evidence, commentary and any explanations</b>
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 would unreasonably delay the response, the complaint should be logged as a new complaint.	Yes	Would do so.

**Stage 2**

<b>Code section</b>	<b>Code requirement</b>	<b>Comply: Yes/No</b>	<b>Evidence, commentary and any explanations</b>
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**

<b>Code section</b>	<b>Code requirement</b>	<b>Comply: Yes/No</b>	<b>Evidence, commentary and any explanations</b>
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint <b>within 20 working days</b> of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.	N/A	Stage 2 final.
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**

<b>Code section</b>	<b>Code requirement</b>	<b>Comply: Yes/No</b>	<b>Evidence, commentary and any explanations</b>
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.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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 learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.	Yes	Present findings in annual report to tenants.

## 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	<p>Not applicable as Local Authority, however Portfolio Holder for Housing would have responsibility for complaints regarding the housing service.</p> <p>Complaint handling information on a corporate level, split by portfolio (i.e. housing) is presented annually to Cabinet.</p>
7.4	<p>As a minimum, governing bodies should receive:</p> <ul style="list-style-type: none"> <li>• Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders</li> <li>• Regular reviews of issues and trends arising from complaint handling,</li> <li>• The annual performance report produced by the Ombudsman, where applicable</li> <li>• Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.</li> </ul>	No	<p>Not to the extent detailed, as above complaint handling information is presented to Cabinet.</p> <p>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.</p>
7.5	Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.	Yes	Service Improvement Team would look to identify and present to senior management.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.6	<p>Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:</p> <ul style="list-style-type: none"> <li>• have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments</li> <li>• take collective responsibility for any shortfalls identified through complaints rather than blaming others</li> <li>• act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing.</li> </ul>	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"> <li>• report the outcome of their self-assessment to their governing body. In the case of local authorities, self-assessment outcomes should be reported to elected members</li> <li>• publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents</li> <li>• include the self-assessment in their annual report section on complaints handling performance</li> </ul>	Yes	<p>Report to Cabinet, then publish on website.</p> <p>Include in annual report to tenants if possible, or provide link to website.</p>