

The Housing Ombudsman has issued a new Complaint Handling Code intended to enable landlords to resolve complaints raised by their residents quickly and to use the learning from complaints to drive service improvements. It will also drive greater consistency across landlords' complaint procedures.

The key elements of the new Code which local authority landlords will be required to follow include:

Universal definition of a complaint

The structure of the complaints procedure - only two stages are necessary and clear timeframes must be set out for responses

Ensuring fairness in complaint handling with a resident-focused process

Taking action to put things right and appropriate remedies

Creating a positive complaint handling culture through continuous learning and improvement

Demonstrating learning in Annual Reports.

Providing easy access to the complaints procedure and ensuring residents are aware of it, including residents' right to access the Housing Ombudsman Service

Ombudsman new provisions - from September 2020

A new power that allows the Housing Ombudsman to issue complaint handling failure orders when a complaint gets stuck in the landlord's process or where landlords do not provide evidence requested by the Ombudsman in a timely manner.

A 'severe maladministration' finding to clarify the range of determinations from service failure to maladministration to severe maladministration.

A more proactive approach in identifying possible systemic failure and to undertake further investigation either into an individual landlord or sector-wide issues.

Developing a new complaint handling code to achieve greater consistency across landlords' complaint procedures.

Importantly and for the first time, Croydon as landlords, will need to self-assess against the Code by 31 December 2020 and publish the results

Compliance with the Complaint Handling Code						
	Yes	No	Information	Action	Owner	By when
1 Definition of a complaint						
1.1 Does the complaints process use the following definition of a complaint? <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>		x	The definition in the Complaints Policy 2020 is an expression of dissatisfaction with the Council, however made, whether justified or not	No action needed. Our definition incorporates all scenarios, and is simple and clear. There is further guidance in the policy		
1.2 Does the policy have exclusions where a complaint will not be considered?	x		See Appendix A - Complaints Policy 2020 - Section 5			
1.3 Are these exclusions reasonable and fair to residents?	x		See Appendix A - Section 5			

2. Accessibility		Yes	No	Information	Action	Owner	By when
2	Accessibility						
2.1	Are multiple accessibility routes available for residents to make a complaint?		x	Customers may make a complaint by telephone to any member of staff, via letter to the Complaints Team, Email to any service, in writing, in person or online via the online form. The link to the online form is https://www.croydon.gov.uk/democracy/feedback/complaints-procedure/customer-feedback-and-complaints-form .			
2.2	Is the complaints policy and procedure available online?		x	https://www.croydon.gov.uk/democracy/feedback/complaints-procedure/policy			
2.3	Do we have a reasonable adjustments policy?		x	We do not have a reasonable adjustments policy relating specifically to complaints. We do however always consider the needs of the resident in making complaints accessible. There are many examples of complainants using advocates to assist them, we have had an audio request sent on the request of a blind resident, have used translaors and had responses translated into different language	To confirm the existence of and/or assess the need for a specific reasonable adjustment policy	KH	Summer 2021
2.4	Do we regularly advise residents about our complaints process?		x	Residents are advised on the escalation process at every stage of the complaints process. A complaints scrutiny was completed in July 2019 by The Housing Panel, it was felt that there was not enough promotion where feedback received indicated that some of the processes need to be made simpler and there needed to be greater promotion of the complaints process. A	*Leaflet orders to be progressed and distributed once Covid restrictions are listed *KH to attend Housing Panel meeting when resumed *KH to attend a residents housing meeting with Chris Stock, Resident Engagement Officer	KH	Spring/Summer 2021

3. Complaints team and process		Yes	No	Information	Action	Owner	By when
3	Complaints team and process						
3.1	Is there a complaint officer or equivalent in post?	x		The Local Authority have a dedicated Complaints Team, comprising of a Manager and 4 Complaints Officers			
3.2	Does the complaint officer have autonomy to resolve complaints?		x	Complaints Officers are responsible for investigating any Stage 2 complaint received independently. As part of that investigation the officer can make recommendations to the service in regards to resolution and compensation.			
3.3	Does the complaint officer have authority to compel engagement from other departments to resolve disputes?	x		The Complaints Officer responsible for the investigation can engage any other service he/she feels necessary in the course of their investigations, and that they feel need to have input to resolve a complaint. The Complaints Manager and all officers have a good working relationship across the services.	To continue to develop service improvement meetings with high volume areas and to improve on working relationships and communications across the wider organisation	KH	For review Summer 2021
3.4	If there is a third stage to the complaints procedure are residents involved in the decision making?		x	There is no official 'Stage 3' process to any corporate complaint, however Croydon do have the Complaints Housing Panel whereby residents can refer their complaints for review. The findings of the panel will be taken into account.			
3.5	Is any third stage optional for residents?		x	The option for a complaint to be reviewed by the Housing Panel is for certain complaints that fall within the remit of the housing panel and not for all housing complaints. If a complaint falls within the remit then the inclusion of the option for the resident to ask for a housing panel hearing is included in the Stage 2 response, alongside the Ombudsman details			
3.6	Does the final stage response set out residents' right to refer the matter to the Housing Ombudsman Service?	x		A resident is always informed of their right to refer their complaint to the Ombudsman and the details of the Ombudsman provided.			
3.7	Do we keep a record of complaint correspondence including correspondence from the resident?	x		A new complaints management system was implemented in May 2021. This system provides greater accessibility to all staff on the oversight of complaints and enquiries. The new system has a greater reporting capacity for services to access themselves. Ever complaint or enquiry received is logged onto the system - InFreemation - with a unique reference number. All correspondence between the resident and the Local Authority is attached onto the relevant record.			
3.8	At what stage are most complaints resolved?	x		Stage 1			

4.Communication		Yes	No	Information	Action	Owner	By when
4	Communication						
4.1	Are residents kept informed and updated during the complaints process?	x		Following a customer making a Stage 1 complaint, this is acknowledged within 5 working days. A Stage 2 will also be acknowledged within 5 working days. Often customers are spoken to during the course of a complaint investigation, and they are always informed if there is likely to be a delay			
4.2	Are residents informed of the landlord's position and given a chance to respond and challenge any area of dispute before the final decision?	x		Following a Stage 1 response, we encourage services to engage with the resident further if the resident is unhappy with the response that they have received, before a request for a Stage 2 complaint is made. In some cases a Stage 2 is made and before it is accepted the complaint is passed back to the service for further input to see whether the complaint can be resolved without the need for a Stage 2. A customer then has the chance to engage with the Complaints Team before their Stage 2 is investigated.			
4.3	Are all complaints acknowledged and logged within five days?	x		The Complaints box is staffed 9am-5pm Mon-Fri and all complaints received on a particular day are recorded within 24 hours. Complaints are also recorded by The Contact Centre and receiving services.			
4.4	Are residents advised of how to escalate at the end of each stage?	x		Every response at all stages of a complaint include the escalation process			
4.5	What proportion of complaints are resolved at stage one?	x		In the annual reporting period of 2019-2020 94% of complaints were resolved at Stage 1			
4.6	What proportion of complaints are resolved at stage two?	x		In the annual reporting period of 2019-2020 - Of those complaints which escalated to Stage 2, a further 68% were resolved at Stage 2			
4.7	What proportion of complaint responses are sent within Code timescales? Stage 1 Stage 2	x		In the annual reporting period of 2019-2020: Stage 1 - 87% were responded to within SLA Stage 2 - 68% were responded to within SLA			
4.8	Where timescales have been extended did we have good reason?	x		I am unable to provide exact data on this point, given that any reason for delay in response is not recorded on the complaints system and is therefore not reportable. I would say that wherever possible services will send responses on time. There will always be occasions when this is not possible for many reasons such as waiting for information from other sources, service resources at that time, service pressures or time needed to implement a remedy			
4.9	Where timescales have been extended did we keep the resident informed?	x		As above it is not a measurable target to see whether customers were contacted and informed of delays. We are aware that communication in the past has been a key area for improvement, but through regular communications with Departmental Complaints Officers and engagement of services via monthly improvement meetings and training sessions, the importance of keeping customers updated has been a priority area			
4.1	What proportion of complaints do we resolve to residents' satisfaction	x		Again, this is not measurable via any report we are able to do, however I think by looking at the numbers of complaints that are escalated through the process it can be seen that the majority of complaints are resolved to a residents satisfaction.			

5. Cooperation with Housing Ombudsman

	Yes	No	Information	Action	Owner	By when
5 Cooperation with Housing Ombudsman	x		The complaints team manage all Ombudsman queries and cases and work hard to make any deadlines set. I believe that we achieved a 100% compliance in implementing remedies in 2019-2020			
5.1 Were all requests for evidence responded to within 15 days?		x	The Ombudsman provides the Complaints Team with individual deadlines depending on the information they are requesting. The vast majority are answered within the deadline set and every effort is made to adhere to these timescales.			
5.2 Where the timescale was extended did we keep the Ombudsman informed?	x		It is always the case with any Ombudsman enquiry, that if we are unable to meet the deadline set we request an extension. A record of the request and the response and revised deadline date are all kept.			

5. Fairness in complaint handling

5. Fairness in complaint handling		Yes	No	Information	Action	Owner	By when
6	Fairness in complaint handling						
6.1	Are residents able to complain via a representative throughout?	x		If a resident would like to make a complaint via a representative we must have the residents written consent of this request. If this is received the complaint can progress via the usual process. It is quite common for complaints to be made on behalf of residents			
6.2	How many cases did we refuse to escalate?		x	It is rare for a customers request for escalation to be refused. We do not keep a record of numbers but we do issue responses to customers informing them of the reasons for refusal. This would usually be for one of the exclusion reasons mentioned within our Complaints Policy - See Appendix A Sec 5.1.			
6.3	What was the reason for the refusal?	x		See Appendix A - Section 5.1			
6.4	Did we explain our decision to the resident?	x		Yes, in all cases, if a decision to refuse and escalation is made the customer will be provided a full explanation in writing			

8. Continuous improvement & learning

	Information	Action	Owner	By when
8	Continuous improvement & learning			
8.1	What improvements have we made as a result of learning from complaints? *Additional training has been provided on the complaints process as a whole, as well as making improvements in the quality of Stage 1 complaint responses. *Increased monthly service improvements meetings held	*Widen the scope of services	KH	Ongoing
8.2	How do we share these lessons with:			
	a) Residents Increased liaison with residents via the Housing panel and a housing green paper consultation with a view to making it easier for residents to complain. Housing Panel undertook a scrutiny exercise to assist in streamlining the complaints process.	Complaints can be made face to face Amendments made to online reporting to make it easier for residents to complete Allow residents more time to complete the online form and increase characters available for input	b) the governing body/board	
	b) the governing body/board A report is taken to members for scrutiny on a yearly basis Detailed scrutiny meetings also take place when it has been recognised that things have gone wrong.	Update to complaints policy to include the Housing Complaints Panel for review of complaints A 2 year scrutiny report will be held in summer 2021 This self assessment will be presented to scrutiny as an appendix Future housing complain reports to be presented at Streets, Environment & Homes Scrutiny Sub-Committee on a regular basis to ensure Member oversight	KH	Summer 2021
	c) in the annual report Lessons and themes are reported on in the quarter and annual reports that are presented to management.	A review of the information presented to current management	KH	Summer 2021
8.3	Has the Code made a difference to how we respond to complaints? Overall our complaint handling practices meet the standard of the Housing Ombudsman Code. Currently all of our corporate complaints have a 20 working day target response time. The code states that this should be 10 working days for housing complaints. Currently the service do not have the capabilities to meet reduced timescale targets for responses. Other considerations to be made following the issuing of the code include: reasonable adjustment policy, consideration of early advice to access the HO, and advancing into the realm of social media / app based complaints in the longer term.	Consideration to be given to a reduction in the 20 working day response target for housing complaints	KH/Management	Summer 2021
8.4	What changes have we made? A new bespoke, user friendly complaints system has now been implemented. This is accessible to all staff at varying levels with enances reporting facilities available. Creation of complaints leaflets for public access	Successful implementation of new system Distribution of leaflets	KH KH	Estimate Jan 2021 Spring/summer 2021
	What changes have we made? Housing Improvement Plan implemented A full review of the current systems that in place within the Housing division. An annual review of the plan to take place. A recognition that the data available has not been analysed sufficiently, resulting in increased prevention work		Alison Knight, Executive Director, Housing	Ongoing