Appendix B – Self-Assessment Form

This self-assessment form should be completed by the complaints officer and discussed at the landlord’s governing body annually. Evidence should be included to support all statements with additional commentary as necessary.

Explanations must also be provided where a mandatory ‘must’ requirement is not met to set out the rationale for the alternative approach adopted and why this delivers a better outcome.

Section 1 - Definition of a complaint Mandatory ‘must’ requirements

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| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **1.2** | A complaint must be defined as:  ‘*an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf,*  *affecting an individual resident or group of residents*. | Yes | Complaints Policy |
| **1.3** | The resident does not have to use the word ‘complaint’ for it to be treated as such. A complaint that is submitted via a third party or representative must still be handled in line with the landlord’s complaints policy. | Yes | Complaints Policy |
| **1.6** | … if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint. | Yes | Complaints Policy |
| **1.7** | A landlord must accept a complaint unless there is a valid reason not to do so. | Yes | Complaints Policy |

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| **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 | 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. | Yes | Complaints guidance to staff |

Best practice ‘should’ requirements

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| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **1.4** | Landlords should recognise the difference between a | Yes | Complaints Policy |
| **service request**, where a resident may be unhappy |
| with a **situation** that they wish to have rectified, and a |
| **complaint** about the **service** they have/have not |
| received. |
| **1.5** | Survey feedback may not necessarily need to be | Yes | Response to STAR survey |
| 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

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| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **2.1** | Landlords must make it easy for residents to complain by providing different channels through which residents can make a complaint such as in person, over the telephone, in writing, by email and digitally. While the Ombudsman recognises that it may not be feasible for a landlord to use all of the potential channels, there must be more than one route of access into the complaints  system. | Yes | Complaints Policy |
| **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 | Complaints leaflet, website |
| **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 | 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. | Yes | Complaints Policy |
| **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 | Website, newsletters, leaflet |

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| **2.7** | Landlords must provide residents with contact  information for the Ombudsman as part of its regular correspondence with residents. | Yes | Newsletters, correspondence, website |
| **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 | Complaints leaflet, website |

Best practice ‘should’ requirements

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| **Code section** | **Code requirement** | **Comply:**  **Yes/No** | **Evidence, commentary and any explanations** |
| **2.2** | Where a landlord has set up channels to communicate | N/A | Social media only used to provide information rather than discussion forum |
| 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

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| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **3.1** | Landlords must have a person or team assigned to take responsibility for complaint handling to ensure complaints receive the necessary attention, and that these are reported to the governing body. This Code will refer to that person or team as the “complaints  officer”. | Yes | Operations Director |
| **3.2** | …the complaint handler appointed must have appropriate complaint handling skills and no conflicts of  interest. | Yes | Staff training, complaints guidance |

Best practice ‘should’ requirements

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| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **3.3** | Complaint handlers should: | Yes | Staff training |
| * 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. |

Section 4 - Complaint handling principles Mandatory ‘must’ requirements

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| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **4.1** | Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord’s audit trail/records should be able to demonstrate this. Landlords must ensure that efforts to resolve a resident’s concerns do not obstruct access to the complaints procedure or result in any unreasonable delay. It is not appropriate to have extra named stages (such as ‘stage 0’ or ‘pre-complaint stage’) as this causes unnecessary confusion for residents. When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure **within**  **five days of receipt**. | Yes | Complaints Policy |

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| **4.2** | Within the complaint acknowledgement, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both  parties. | Yes | Complaints guidance |
| **4.6** | A complaint investigation must be conducted in an impartial manner. | Yes | Complaints guidance |
| **4.7** | The complaint handler must:   * deal with complaints on their merits * act independently and have an open mind * take measures to address any actual or perceived conflict of interest * consider all information and evidence carefully * keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter. | Yes | Complaints guidance |
| **4.11** | Landlords must adhere to any reasonable  arrangements agreed with residents in terms of frequency and method of communication | Yes | Complaints guidance |
| **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. | Yes | Complaints guidance |
| **4.13** | A landlord must include in its complaints policy its  timescales for a resident to request escalation of a complaint | Yes | Complaints Policy |
| **4.14** | A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints | Yes | Complaints Policy |

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|  | 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. | Yes | Complaints log |
| **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 | Unacceptable Behaviour Policy, Vexatious Complaints Policy |

Best practice ‘should’ requirements

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| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **4.3** | Landlords should manage residents’ expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic |  |  |
| **4.4** | A complaint should be resolved at the earliest possible | Yes | Complaints Policy |
| 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 | Yes | Complaints Policy |
| 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. |
| **4.8** | Where a key issue of a complaint relates to the parties’ | Yes | Complaints guidance |
| legal obligations landlords should clearly set out their |
| understanding of the obligations of both parties. |

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| **4.9** | Communication with the resident should not generally identify individual members of staff or contractors. | Yes | Complaints guidance |
| **4.10** | Landlords should keep residents regularly updated about the progress of the investigation. | Yes | Complaints guidance |
| **4.16** | Landlords should seek feedback from residents in | Yes | Complaints guidance |
| 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 | Yes | This will be recognised should the need arise. |
| 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 | Yes | Unacceptable Behaviour and Vexatious Complaints Policies |
| 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

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply:**  **Yes/No** | **Evidence, commentary and any explanations** |
| **5.1** | Landlords must respond to the complaint **within 10 working days** of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should  not exceed a further 10 days without good reason. | Yes | Complaints Policy |
| **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 | Complaints Policy |

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| **5.6** | Landlords must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate. | Yes | Complaints guidance |
| **5.8** | Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language:   * the complaint stage * the decision on the complaint * the reasons for any decisions made * the details of any remedy offered to put things right * details of any outstanding actions * details of how to escalate the matter to stage two if the resident is not satisfied with the answer | Yes | Complaints guidance |

Stage 2

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply:**  **Yes/No** | **Evidence, commentary and any explanations** |
| **5.9** | If all or part of the complaint is not resolved to the resident’s | Yes | Complaints Policy |
| 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 | Yes | Complaints guidance |
| 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 | Yes | Complaints Policy |
| has completed stage one and at the request of the resident. |

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| **5.12** | The person considering the complaint at stage two, must not be | Yes | Complaints Policy |
| the same person that considered the complaint at stage one. |
| **5.13** | Landlords must respond to the stage two complaint **within 20** | Yes | Complaints Policy |
| **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. |
| **5.16** | Landlords must confirm the following in writing to the resident at | Yes | Complaints guidance |
| 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

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **5.17** | Two stage landlord complaint procedures are ideal. This ensures that the complaint process is not unduly long. If landlords strongly believe a third stage is necessary, they must set out their reasons for this as part of their self-assessment. A  process with more than three stages is not acceptable under any circumstances. | Yes | Complaints Policy |

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| --- | --- | --- | --- |
| **5.20** | Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language:   * the complaint stage * the complaint definition * the decision on the complaint * the reasons for any decisions made * the details of any remedy offered to put things right * details of any outstanding actions * details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied | Yes | Complaints guidance |

Best practice ‘should’ requirements Stage 1

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| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **5.2** | If an extension beyond 20 working days is required to enable the | Yes | Complaints guidance |
| 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, | Yes | Complaints guidance |
| 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 | Yes | Complaints guidance |
| 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 | Yes | Complaints guidance |
| 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

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **5.14** | If an extension beyond 10 working days is required to enable the | Yes | Complaints guidance |
| 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, | Yes | Complaints guidance |
| 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

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **5.18** | Complaints should only go to a third stage if the resident has | Yes | Complaints Policy |
| 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, | Yes | Complaints Policy |
| 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

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| **Code section** | **Code requirement** | **Comply:**  **Yes/No** | **Evidence, commentary and any explanations** |
| **6.1** | Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong a landlord must acknowledge this and set out the actions it has  already taken, or intends to take, to put things right. | Yes | Previous practice |
| **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 | Previous practice |
| **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 | Previous practice |
| **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 | Previous practice |

Best practice ‘should’ requirements

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| **Code section** | **Code requirement** | **Comply:**  **Yes/No** | **Evidence, commentary and any explanations** |
| **6.3** | Landlords should look beyond the circumstances of the | Yes | Previous practice |
| 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 | Yes | Previous practice |
| 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**

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

**Best practice ‘should’ requirements**

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| **Code section** | **Code requirement** | **Comply:**  **Yes/No** | **Evidence, commentary and any explanations** |
| **7.3** | A member of the governing body should be appointed to have | No | Not recommended due to the relatively low level of complaints. Complaints activity is reported to both Board and Residents’ Panel on a regular basis |
| 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: | Yes  Yes  Yes  Yes | Board Reports  Board Reports  Where appropriate  Where appropriate |
| * 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. |

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| **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 | Management Team agendas |
| **7.6** | Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:   * have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments * take collective responsibility for any shortfalls identified through complaints rather than blaming others * act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing. | Yes | An objective will be included in future years. |

Section 8 - Self-assessment and compliance Mandatory ‘must’ requirements

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **8.1** | Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its  requirements. | Yes | Report to Board |
| **8.2** | Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures. | Yes | Where appropriate |
| **8.3** | Following each self-assessment, a landlord must:   * report the outcome of their self-assessment to their governing body. In the case of local authorities, self- assessment outcomes should be reported to elected members * publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents * include the self-assessment in their annual report section on complaints handling performance | Yes | Where appropriate |