

## The Housing Ombudsman's Complaint Handling Code

### Self-assessment

Compliance with the Complaint Handling Code			
		Yes	No
<b>I.</b>	<b><u>Definition of a complaint</u></b>		
	<p>Does the complaints process use the following definition of a complaint?</p> <p>‘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.’</p>		<p>The Council uses the following definition - ‘This is a negative statement about the quality of a service provided by or on behalf of the Council or a failure to provide a previously agreed service, or about the attitude or behaviour of one or more members of staff.’</p>
	<p>Does the policy have exclusions where a complaint will not be considered?</p>	<p>The Councils Feedback Policy does outline certain exclusions from the policy, the relevant extracts are listed below:</p> <ul style="list-style-type: none"> <li>• ‘Normally, we will only accept complaints within six months of the event you want to complain about or finding out that you have reason to complain, but no longer than 12 months after the event.’</li> <li>• There are some types of feedback that are not covered by the Feedback Policy procedures. Details about how these will be dealt with are outlined in Appendix 8. These include feedback about:</li> </ul>	

		<ul style="list-style-type: none"> <li>a) Members</li> <li>b) Unrelated third party, such as the NHS or Police</li> <li>c) Recruitment, staff appointments or terms and conditions of service</li> <li>d) Petitions</li> <li>e) Internal feedback</li> <li>f) Requests for service</li> <li>g) Informal feedback</li> <li>h) Pensions</li> <li>i) Data protection</li> <li>j) Insurance settlements</li> </ul>	
	Are these exclusions reasonable and fair to residents?	The Councils Feedback Policy has been in place since 1996 and the exclusions have never caused any issues. Each one is included for a specific reason and always to help the complainant get assistance. For example a dedicated team deal with data protection issues via a separate process outlined under the Councils Data Protection Policy. Including a timeframe which complaints should be logged within ensures the Council only deals with genuine complaints which it still has the ability to investigate and assist with.	
<b>2.</b>	<b><u>Accessibility</u></b>		
	Are multiple accessibility routes available for residents to make a complaint?	Feedback can be given using a form on the Council's website using our Contact 360 system; via Telephone, Letter, or Email. In addition to this the Council displays Tell Us How It Is posters in Council buildings. Anyone can also provide feedback to members of staff or to a Councillor.	
	Is the complaints policy and procedure available online?	<a href="https://www.eastriding.gov.uk/council/plans-and-policies/all-plans-policies-and-strategies/">https://www.eastriding.gov.uk/council/plans-and-policies/all-plans-policies-and-strategies/</a>	

	Do we have a reasonable adjustments policy?		The Council does not have a standalone policy but it is referenced within the Attendance at Work and Equalities and Employment policies.
	Do we regularly advise residents about our complaints process?	The Council displays Tell Us How It Is posters in Council buildings. These posters clearly signpost people into the process. In addition to this, the Council has a feedback policy and feedback related information is available for staff on the intranet, therefore any staff member who receives feedback can advise residents about the process. Reports are provided to CMT and Councillors. The Council also has a feedback page on its website and the Councils social media team are instructed to monitor for complaints. All complaint responses also include information about how to escalate complaints. Specifically within Housing Services, details of the number of complaints are included in the annual report to tenants. This includes how many go to Stage 2 and how many go to the Ombudsman.	
<b>3.</b>	<b><u>Complaints Team and Process</u></b>		
	Is there a complaint officer or equivalent in post?	Information Governance and Feedback Manager who is supported by a team of officers.	
	Does the complaint officer have autonomy to resolve complaints?		The Information Governance and Feedback Manager and his officers can investigate complaints

			independently of services if necessary. However it would be down to the relevant Director/HoS to agree the final response/recommendations.
	Does the complaint officer have authority to compel engagement from other departments to resolve disputes?		Instructions are issued in line with the Councils Feedback Policy. However it would be down to the relevant Director/HoS to resolve disputes.
	If there is a third stage to the complaints procedure are residents involved in the decision making?	<p>For housing related complaints people are entitled to escalate their complaint for further investigation.</p> <p>This can done by sending the complaint to a 'designated person' for resolution.</p> <p>Referring an eligible complaint to a designated person means that can send your complaint to your local councillor, your MP or the local Tenants' Panel. At this stage, your complaint will be reviewed and a decision will be taken on whether the complaint can be resolved to the satisfaction of both the tenant and the Council. Your designated person has the power to refer the complaint to the Ombudsman if they feel this is the most appropriate channel.</p>	
	Is any third stage optional for residents?	Yes	

	Does the final stage response set out residents' right to refer the matter to the Housing Ombudsman Service?	Yes	
	Do we keep a record of complaint correspondence including correspondence from the resident?	Yes, every formal complaint is logged on Contact 360, including all relevant correspondence.	
	At what stage are most complaints resolved?	93.1% of complaints remained at Stage 1 and were not escalated any further.	
<b>4.</b>	<b><u>Communication</u></b>		
	Are residents kept informed and updated during the complaints process?	Yes, once a complaint has been logged on the system, an automated email goes out to them with confirmation and reference numbers, plus a link to the website with feedback policy and procedure. If the customer has not provided an email address, a letter or phone call is made by the Feedback Team. If we are notified of a chance of a delay to the response, the Feedback Team inform the customer.	
	Are residents informed of the landlord's position and given a chance to respond and challenge any area of dispute before the final decision?	A response would be given to the resident based on the information gathered by the investigating officer. The tenant would come back at that point and challenge anything they didn't agree with or felt was overlooked in the initial investigation. If they still didn't agree the complaint had been resolved satisfactory, the tenant can escalate to the next stage of the complaint process.	

Are all complaints acknowledged and logged within five days?	Feedback items should be logged and assigned to the relevant service area within 2 days of receiving them	
Are residents advised of how to escalate at the end of each stage?	Investigating Officers (IO) are told to advise the complainant of their rights to escalate a complaint. The Feedback Team monitor responses to ensure escalation is highlighted. Response templates are used by IOs which include the escalation process.	
What proportion of complaints are resolved at stage one?	93.1% resolved at Stage 1 and not escalated to Stage2.	
What proportion of complaints are resolved at stage two?	It is not possible to report on resolved Stage 2 complaints as the Council is not always made aware when a complainant remains unhappy and takes their complaint to the Housing Ombudsman.	
What proportion of complaint responses are sent within Code timescales?	Stage one – 99.1% Stage two – 100%	
Where timescales have been extended did we have good reason?	Extensions are monitored and only granted by the Feedback Team if a good reason for an extension exists.	
Where timescales have been extended did we keep the resident informed?	Residents are usually kept informed if there is going to be a considerable delay to their complaint, by way of email, letter or phone call by the Feedback Team.	
What proportion of complaints do we resolve to residents' satisfaction?	12% of Stage 1 complaints were rejected (the Council found not to be at fault) 25% of Stage 2 complaints were rejected (the Council found not to be at fault)	

<b>5.</b>	<u>Cooperation with Housing Ombudsman Service</u>		
	Were all requests for evidence responded to within 15 days?	Yes	
	Where the timescale was extended did we keep the Ombudsman informed?	Yes	
<b>6.</b>	<u>Fairness in Complaint Handling</u>		
	Are residents able to complain via a representative throughout?	Yes	
	If advice was given, was this accurate and easy to understand?	Every attempt should be made to ensure that advice is clear, accurate and easy to understand. Officers contact details are made available in responses so the complainant can make contact if they wish to discuss or have any points clarified'	
	How many cases did we refuse to escalate? What was the reason for the refusal?	None	
	Did we explain our decision to the resident?	N/A	
<b>7.</b>	<u>Outcomes and remedies</u>		
	Where something has gone wrong are we taking appropriate steps to put things right?	The whole ethos of the Feedback Policy is to manage complaints and take the appropriate action when something goes wrong. The Housing Annual Report has a section in it 'You Said, We Did' which includes some examples of the types of complaints we receive and what was done	

		to resolve. There is a tenants complaints panel that will have dealt with one complaint previously when the complainant requested this. The panel has also looked at past complaints with the intention of recognising commonalities of complaints and making recommendations to Housing Services.	
<b>8.</b>	<b><u>Continuous Learning and Improvement</u></b>		
	What improvements have we made as a result of learning from complaints?	The number of complaints received compared to the services on offer/delivered to tenants remain very low. Complaints are analysed to look for patterns/themes, however, none have been identified in this last period. Most complaints relate to one of issues, specific to individual circumstances. Issues are normally resolved at the time of the complaint being made, with most complaints not being escalated showing tenants satisfaction with responses.	
	How do we share these lessons with: (a) residents (b) the board/governing body (c) in the annual report	The annual report is published in 'Homing In' magazine which goes to every tenant and leaseholder in the East Riding, it is also published on the internet. There is a section at the end of the report which highlights comments/complaints and what the Council did about them.	
	Has the Code made a difference to how we respond to complaints?	Yes	
	What changes have been made?	The code helps the Council ensure that its complaints process is fair and in line with best practice/other areas. The Councils complaint process has been in place since 1996 and it has always closely followed Ombudsman guidance, therefore very few changes need to be made. Following this latest code update the Council did improve its feedback webpage to ensure the third stage of the complaints process which is available for housing issues was clearer. A reminder was also issued relating to the importance of ensuring that we are giving clear and agreed timescales with complainants	

