

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>	No	The Feedback Team are working with our internal services to review our policies, procedures and external facing webpages. There is a clear drive to enhance the information which is contained on our web pages for our customers.
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 Local Authority agree that the word complaint should not need to be included in correspondence for the communication to be treated as such. The only time in which a complaint will be delayed for logging will be if consent is required in order to process.
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	This would be considered standard practice
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	The Local Authority will take the complaint unless there is a valid reason to not 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.	Yes	Information is contained on our web pages currently about when a matter would not be considered. This information will be updated alongside our planned improvement works on the webpage.
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	If a complaint is not accepted at the initial approach to services, complainants will be provided advice to the next steps which can be taken such as appeals or approaching the relevant 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 service request , where a resident may be unhappy with a situation that they wish to have rectified, and a complaint about the service they have/have not received.	Yes	We assess against policy and procedure
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	All survey feedback which is completed by service users is logged on the system and a response provided.

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	Residents can complain using a variety of methods
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	This information is currently contained on our webpage
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 advised we will consider both our complaints policy and process and ensure this is published via on our ongoing improvement works.
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	The Local Authority will consider the individual needs of our residents at the time of engaging with them to ensure that any additional support which may be required is considered and implemented.
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	This information will be published on our webpage

2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	
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.	No	Currently this action is not taken as we have a robust 2 stage procedure for our complainants. We have seen in our complaints handling that early referral to the HO would mean a referral back to the LA to carry out the next stage.

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	Officers who maintain social media sites are aware that any complaint should be referred to the complaints team. In the first instance they will undertake a check to ascertain if the complaint has been registered already if not a complaint will be logged.

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	
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
3.3	Complaint handlers should: <ul style="list-style-type: none">• be able to act sensitively and fairly• be trained to handle complaints and deal with distressed and upset residents• have access to staff at all levels to facilitate quick resolution of complaints• have the authority and autonomy to act to resolve disputes quickly and fairly.	Yes	

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 within five days of receipt .	Yes	

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	
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	
4.7	The complaint handler must: <ul style="list-style-type: none"> • deal with complaints on their merits • act independently and have an open mind. • take measures to address any actual or perceived conflict of interest • consider all information and evidence carefully. • keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter. 	Yes	
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	Any request submitted is considered and responded to on its own merits
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: <ul style="list-style-type: none"> • set out their position. • comment on any adverse findings before a final decision is made. 	No	We do not send draft decisions to complainants all information required to provide a final determination is sought from the outset of the investigation and if required sought from the service user during the course of the investigation. However, we do respond to any suggested comments relating to factual inaccuracies.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	https://www.lbbd.gov.uk/council-and-democracy/complaints-and-compliments/complaints-procedure
4.14	A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints	Yes	The complaints policy and procedure sets out what will and will not be dealt with as a

		complaint https://www.lbbd.gov.uk/council-and-democracy/complaints-and-compliments/complaints-procedure
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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	We have a case management system which is used for tracking all complaints.
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	https://www.proceduresonline.com/lbbd/cs/user_controlled_lcms_area/uploaded_files/UnreasonablyPersistentComplaintsPolicy.pdf

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	We try to manage expectations from the outset but this could be strengthened via our processes
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	Ideally the Local Authority work towards resolving all complaints at the earliest possible stage but complexity of the complaint can affect this
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	Should a resident require either a representative or advocate to assist in the procedure this is understood and we will work with parties to ensure the complaint is dealt with.
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	

4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	No	Not as routine we would only do this if there was a particular reason to do so. They are provided a deadline when the complaint is acknowledged and updated where necessary.
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	Currently this is not a feature which is included in our process. We are looking to review as part of the Voice of the Customer program how we can gather meaningful feedback which can impact our service delivery.
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	The importance of learning from our complaints is understood and as part of our improvement work being undertaken we are considering the use of analytical data tools which will quickly identify any theme or trend across the council which needs addressing.
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	Restrictions on contact are used only in cases where there is evidence of it being necessary and would give consideration to any presenting need and the Equality Act

Section 5 - Complaint stages

Mandatory 'must' requirements

Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.1	Landlords must respond to the complaint <u>within 10 working days</u> of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	Whilst our service agreement is a 10-day response this has not always been adhered to. The Local Authority remain aware of the unnecessary additional strain these can place on our relationships with the customers and there is continual effort finding solutions delays in responding.
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.	Yes	We have the facility to track completion of any actions required arising from the complaint.

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	Our approach to this is compliant to the process which has been described.
5.8	Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: <ul style="list-style-type: none"> the complaint stage. the decision on the complaint the reasons for any decisions made. the details of any remedy offered to put things right details of any outstanding actions details of how to escalate the matter to stage two if the resident is not satisfied with the answer 	Yes	Our approach to this is compliant to the process which has been described.

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two of the landlord's procedure, unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.	Yes	Our approach to this is compliant to the process which has been described.
5.10	On receipt of the escalation request, landlords must set out their understanding of issues outstanding and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	Yes	Our approach to this is compliant to the process which has been described.
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	

5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	
5.13	Landlords must respond to the stage two complaint <u>within 20 working days</u> of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	No	Our Policy and Procedures are clear that we respond within 30 working days which has been approved by our members. We have a limited number of staff and to ensure that we provide a good quality service to our service users it is necessary and important for the 30 working days to remain. There is no plans to reduce this to 20 working days as this will compromise the service we provide.
5.16	Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language: <ul style="list-style-type: none"> the complaint stage the complaint definition the decision on the complaint the reasons for any decisions made the details of any remedy offered to put things right details of any outstanding actions and <ul style="list-style-type: none"> if the landlord has a third stage, details of how to escalate the matter to stage three if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied. 	Yes	Our approach to this is compliant to the process which has been described.

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
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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	
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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: <ul style="list-style-type: none"> the complaint stage. the complaint definition the decision on the complaint the reasons for any decisions made. the details of any remedy offered to put things right details of any outstanding actions details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied 	Not Applicable	
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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.	No	As above 30 days is standard practice
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.	No	Please see above
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	This is part of our standard practice
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	This is part of our standard practice

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.14	If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	No	
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	No	

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint <u>within 20 working days</u> of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.	Not Applicable	
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.	Not Applicable	

Section 6 - Putting things right

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
6.1	Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right.	Yes	We are improving this by issuing guidance on good quality complaint responses and how we can ensure relevant information is provided.
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	Any proposed remedy is based on the investigation of the complaint and the findings.
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	We have templated responses for our complaints and ensure that any actions to be taken are noted in the response and followed through.
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	There is a compensation policy in place

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	This is part of our standard practice
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	This is part of our standard practice

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	

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	Quarterly reports are provided to Senior Leadership Team which are then presented to the Members. We also produce an annual complaints report which is published on our website
7.4	As a minimum, governing bodies should receive: <ul style="list-style-type: none"> Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders Regular reviews of issues and trends arising from complaint handling, The annual performance report produced by the Ombudsman, where applicable Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge. 	Yes	Any report which is found by an Ombudsman to have severe fault would be shared with the relevant Cabinet Member for the service area and the Senior Leadership Team. The Annual Complaints Report is also presented at a Members Board Overview and Scrutiny with data from the Ombudsman's included.

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	The importance of learning from our complaints is understood and as part of our improvement work being undertaken we are considering the use of analytical data tools which will quickly identify any theme or trend across the council which needs addressing.
7.6	Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to: <ul style="list-style-type: none"> • have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments. • take collective responsibility for any shortfalls identified through complaints rather than blaming others. • act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing. 	Yes	This is the approach that we strive towards for our residents one council one service. Working together collaboratively ensuring the best outcomes for residents.

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.	Yes	A SEF was undertaken in 2021 but was not published on our external facing website.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	There has been no recent re-structures which have meant a need for a new SEF this form will be built into our timescales for annual complaint reporting which is undertaken on a calendar year.

8.3	<p>Following each self-assessment, a landlord must:</p> <ul style="list-style-type: none"> • report the outcome of their self-assessment to their governing body. In the case of local authorities, self-assessment outcomes should be reported to elected members • publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents • include the self-assessment in their annual report section on complaints handling performance 	No	<p>Whilst we do present the SEF to the required staffing within the Local Authority previously we have not outwardly published this document as it is an internal working document which allows the Local Authority to ensure the service which is being provided to our residents is of the best quality.</p> <p>The Local Authority have noted the requirement for this to be posted on our website and this will be completed and referred to during our annual complaint report</p>
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