Housing Ombudsman Complaint Code Self-Assessment Form 2023

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

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.	Y	We use the same definition in our Complaints Resolution Policy as prescribed by the Housing Ombudsman.
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.	Y	We ensure staff dealing with customers on a regular basis have appropriate training to be able to address our customers concerns and recognise when it is appropriate to use the formal complaints process. Guidance on third party representation is contained within point 6 of our Complaints Resolution 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.	Y	This is covered under 'How we resolve your complaint' within our Complaint Resolution Policy.
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Y	We welcome complaints and feedback from our customers. Where we do not feel a complaint is valid we communicate this to our customers,

Mandatory 'must' requirements

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.	Y	We explain more about the circumstances where we are unable to consider an issue under our Complaints Resolution Policy under point 15.
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.	Y	We ensure that we explain thoroughly why we cannot accept an issue as a complaint. To support our staff we have provided a template response which includes reference to the Housing Ombudsman Service.

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.	Y	We have made this clearer during our review of our Complaints Resolution Policy.
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.	Y	We survey our customers on a regular basis. The survey contained advise to customers as to how they can make a complaint if they are dissatisfied. Where surveys are automated, low scoring flags are used to make proactive contact with the customer to understand and address remaining concerns.

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.	Y	Customers can complain through the channel of their choice. These are listed within the Complaint Resolution Policy under point 4.
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.	Y	Guidance on our Complaints Resolution Policy and Procedure is available on our website: <u>Moat Compliments and complaints</u>
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.	Y	This page is available on our website within two clicks of the home page. Moat Compliments and complaints
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.	Y	During the review of our Complaints Resolution Policy we completed an Equality Impact Assessment.
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.	Y	 We do this in a number of ways by: Publishing our Complaint Resolution Policy and procedure on our website Providing links to the Housing Ombudsman and Complaint Handling Code on our website Including details within regular correspondence such as complaint letter templates Providing leaflets in our offices and

schemes.		l

2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Y	We provide links to selected HOS press releases on our website <u>www.moat.co.uk</u> The Housing Ombudsman Service will be referenced in all of our regular customer newsletters.
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.		We ensure customers are aware of their right to refer to the Housing Ombudsman for support during each stage of the complaints process.

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.	Y	We recognise that some of our customers like to contact us via social media but remind them that these pages are public. To keep personal information safe, we will recommend that we switch communication to a safer channel.

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".	Y	We have a Customer Resolution Team which directly deals with most of our complaints. The team also oversee the overall process and provide support to trained colleagues elsewhere in the business. The Customer Resolutions team provides monthly reporting to the Executive Team as part of our business health report. This information is also shared with both our Customer & Communities Committee and Board.
3.2	the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Y	All resolution lead officers receive appropriate training. The Customer Resolution team reports directly into the Executive Team to ensure investigations ar impartial.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.3	 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. 	Y	 As part of our new corporate strategy, we are encouraging and empowering all staff to be customer pioneers. All staff dealing with complaints are appropriately trained and can provide resolutions to complaints in line with our policy and procedure. Our Executive team are actively involved in the review stage of the complaints process. They provide support and guidance to ensure we achieve the right outcome for our customers.

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.	Y	Any complaints received are recorded within our in house database and a reference number provided to our customers. Our timescales are detailed within our Complaint Resolution Policy and are compliant with the Housing Ombudsman Complaint Handling Code.

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.	Y	To make sure we capture all the information we need regarding a complaint we have created mandatory fields within our database and also provide guidance to staff within templates for communication.
4.6	A complaint investigation must be conducted in an impartial manner.	Y	We ensure we communicate this guidance in training to all staff dealing with complaints.
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. 	Y	We ensure we communicate this guidance in training to all staff dealing with complaints.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Y	We ensure we communicate this guidance in training to all staff dealing with complaints.
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. 	Y	There is appropriate guidance in our resolution training on how to deal with a complaint relating to a staff member.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Y	We have included the timescale for escalation within our Complaint Resolution Policy under point 13.
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.		We have included exclusions within our Complaints Resolution Policy. If in doubt, we recommend that our staff speak with the Housing Ombudsman Service for guidance.
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.	Y	All complaints are recorded within our inhouse database and this includes all correspondence, notes and anything else relevant to the investigation.
4.18	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.	Y	We have an Unreasonable Behaviour Policy which can be viewed on our website: www.moat.co.uk

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	Y	Our resolution lead officers are encouraged to manage customer expectations at the outset of a complaint.
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.	Y	We encourage all resolution lead officers to do this. We have introduced a customer impact section to ensure any urgent issues are identified.
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.	Y	Use of a third-party representative is covered in point 6 of our Complaints Resolution Policy.
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.	Y	Our resolution lead officers are encouraged to manage customer expectations at the outset of a complaint, this includes ensuring complainants are aware of both their own and Moat's responsibilities.

4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Y	We only refer to staff members and/or contractors when it is appropriate to do so, such as when a complaint relates to one of those parties.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Y	We advise our resolution lead officers to agree a contact schedule which is captured as part of the complaint record.
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.	Y	We regularly survey closed complaints via telephone and text.
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	Y	We have a dedicated page on our staff intranet for our customer voice where we share information regarding complaints including lessons learnt. Our recent staff conference also focused heavily on the impact poor service can have on customers and the importance of putting things right when they go wrong.
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.	Y	We meet this requirement within our Unreasonable Behaviour Policy.

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</u> <u>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.	N	Our Resolutions Policy is compliant with this requirement. We aim to respond to complaints within this timeframe; however we are not currently achieving this but hav targets in place to improve our performance.

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	Y	We encourage our lead officers to answer complaints at the earliest opportunity. Where we are able to identify and agree a resolution with a customer that cannot be delivered within the 10 working days, we issue a response and track the delivery of the solution as part of our overall complaint management.
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.	Y	We provide relevant guidance to resolution lead officers on how to respond to a complaint as part of the template.
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 	Y	We provide relevant guidance to resolution lead officers on how to respond to a complaint as part of the template and encourage peer reviews to minimise areas being overlooked.

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.	Y	We endeavour to resolve complaints fully to customers satisfaction using our two stage procedure. We would only deviate from that procedure having taken advice from the Housing Ombudsman Service.
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.	Y	We capture this information as part of our acknowledgment to the second stage of our complaint process as well as part of the initial call with the reviewing manager.

5.11	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.	Our escalation process is set out under point 11 of our Complaints Resolution policy.

5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Y	At the second stage the complaint is reviewed by a senior manager. In the event of a senior manager responding in the first instance, this will be referred to a different senior manager.
5.13	Landlords must respond to the stage two complaint <u>within 20</u> <u>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.	N	Our Resolutions Policy is compliant with this requirement. We aim to respond to complaints within this timeframe; however we are not currently achieving this but have targets in place to improve our performance.
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. 	Y	We provide guidance within our stage two response template.

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.	n/a	

La th • • •

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.	Y	We meet this requirement by managing the customer expectations and explaining the reason for any delays. We also monitor compliance using a function within the complaints module.
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.	Ŷ	We meet this requirement by referencing the Housing Ombudsman Service in all complaints communication to ensure that customers are aware they can be contacted at any time during the complaint for support.
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.	Y	As part of any complaint review the complaint lead officers review all information from both the customer and CRM system to identify if there were earlier occurrences.
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.	Y	We share this guidance with our resolution lead officers.

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.		We meet this requirement by managing the customer expectations and explaining the reason for any delays.
		Y	We also monitor compliance using a function on the complaints module, which includes a tick box to confirm that the this has been agreed with the customer.
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	Y	We meet this requirement by referencing the Housing Ombudsman Service in all complaints communication to ensure that customers are aware they can be contacted at any time during the complaint.

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.	n/a	
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

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.	Y	We meet this requirement by providing resolution lead officers with guidance within our templates for response.
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.	Y	Our resolution lead officers refer to our compensation policy and also the Housing Ombudsman Remedies Guidance. We also utilise the Housing Ombudsman Service case library to identify comparable cases for remedy comparisons.
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.	Y	We meet this requirement by providing resolution lead officers with guidance within our templates. We are able to track the delivery of commitments within our complaints module until they have been delivered.
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.	Y	Our resolution lead officers refer to our compensation policy and also the Housing Ombudsman Remedies Guidance. We also utilise the Housing Ombudsman Service case library to identify comparable cases for remedy comparisons.

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.	Y	We record lessons learnt within the complaints file which is mandatory. Using this information we are able to identify themes and trends and consider the best ways of preventing recurrences. This information is shared with the relevant service areas during regular reviews.
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.	Y	We follow this guidance.

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.	Y	 We share our learning and improvements on the following ways: Annual report Publishing on our website Executive, Committee and Board reporting Customer Voice page on our intranet. Team specific reports

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.	Y	The Chair of our Customer & Communities Committee has lead responsibility. All of our Executive and Senior Leadership Team support and promote a positive complaints culture. Regular information is shared with both our Customer and Communities Committee and Board members.
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. 	Y	We achieve this requirement by regularly reporting to our Executive, Committee and Board in both complaints performance specific papers and our business health performance measures. All Housing Ombudsman determinations are shared with the Executive and Board either in full or highlights format.

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.	Y	Our Customer Resolution Team have oversight of complaints across the business and identify themes and trends which are reported to the Executive, Committee and Board.
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. 	Y	Our corporate strategy is very clear that our people are expected to work collaboratively to deliver the best outcome for the customer. Our visions and values include acting within the CIH professional standards and promotes a positive culture.

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