# Housing Ombudsman Complaint Handling Code Self-Assessment Form (September 2023)

#### 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:	Yes	Section 1.21 of our policy uses this wording to define a complaint.
	'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.		
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	Section 1.22 of our policy confirms this.
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	Section 1.24 of our policy outlines our approach to service requests and confirms if additional investigation is needed or the customer would prefer to have their service request logged as a complaint, this will be complied with.
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	Section 1.3 of our policy sets out the reasons why we would not consider a complaint.

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	Section 1.3 of our policy sets out the reasons why we would not consider a complaint.
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	Section 1.32 of our policy confirms customers will receive a written explanation of why their complaint is not being handled under the policy.

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	Section 1.24 of our policy clearly differentiates between a 'service request' and a 'complaint.'
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	We routinely monitor survey feedback, contacting residents who leave negative reviews to determine whether we can resolve their concerns or need to raise the matter as a formal complaint. It is clearly set out on our website that residents can raise a complaint if they're dissatisfied with the service they've received.

## Section 2 - Accessibility and awareness

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	Section 2.21 of our policy sets out that residents can complain by telephone, email, webform, in person, or by social media.
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	Our complaints policy is available on our website, and details stages and timescales.
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	Our complaints policy is available on our website, with clear direction about raising a complaint.
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	Section 5.12 of our policy sets out that we will make reasonable adjustments and provide support to enable customers to complain.
2.6	Landlords must publicise the complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme in leaflets, posters, newsletters,	Yes	Our communications team share this information as part of our regular communications to customers.

	online and as part of regular correspondence with residents.		
2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	Section 2.23 of our policy makes it clear that residents can access the Housing Ombudsman throughout the life of their complaint. Complaint acknowledgement letters and final response letters make it clear to residents that they can raise their complaint with the Ombudsman at any stage and include the Ombudsman's contact details.
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	As above, we advise in acknowledgement letters that residents can raise their complaint to the Ombudsman at any point during the 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.	Yes	Section 2.2 of our policy states that we will accept complaints via social media. When this is the case, we will contact residents by private message and remove any complaint details not fit for the public domain from the social media platform.

#### 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	There is a central complaints team at Eastlight which acts as 'complaints officer'.
3.2	the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	There is a central complaints team at Eastlight which acts as 'complaints officer'.

#### Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.3	<ul> <li>Complaint handlers should:</li> <li>be able to act sensitively and fairly</li> <li>be trained to handle complaints and deal with distressed and upset residents</li> <li>have access to staff at all levels to facilitate quick resolution of complaints</li> <li>have the authority and autonomy to act to resolve disputes quickly and fairly.</li> </ul>	Yes	Our complaint handling staff have received appropriate customer care training. Additional training is planned through the Customer Excellence programme in October & November 2023.

### 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 <b>within five days of receipt</b> .	Yes	Our policy does not include a 'stage zero' or 'pre-complaint stage.' Our policy sets out in section 3.21 that a complaint acknowledgement should be sent out within 1 working day of the complaint being registered.
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	Our template acknowledgement letter ensures that the definition of the complaint is captured. Our process dictates that the complaint handler should contact the resident at the start of their complaint to ensure it is properly defined.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	<ul> <li>80% of Stage 1 complaints are handled by our Customer Experience Team, who do not directly deliver services in relation to the complaint.</li> <li>All complaint responses are monitored by the central complaints team ('complaints officer') to ensure the investigation is carried out to an acceptable standard.</li> </ul>

4.7	<ul> <li>The complaint handler must:</li> <li>deal with complaints on their merits</li> <li>act independently and have an open mind</li> <li>take measures to address any actual or perceived conflict of interest</li> <li>consider all information and evidence carefully</li> <li>keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.</li> </ul>	Yes	Job descriptions for our Customer Experience Team dictate that complaints should be addressed in this way. Complaint responses are monitored by Customer Experience Manager throughout the process and at the end of the complaint, to ensure that the complaint has been properly addressed.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	Section 5.12 of our policy sets out how we will apply reasonable adjustments. These are monitored by the Customer Experience Manager as part of their ongoing case management.
4.12	<ul> <li>The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:</li> <li>set out their position</li> <li>comment on any adverse findings before a final decision is made.</li> </ul>	Yes	When a complaint is investigated, staff members are asked to comment on the allegations being made and submit records which reiterate their position. This is taken into consideration when the outcome of the complaint is determined.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	Section 3.31 of our policy states that residents should contact us within 90 days of receiving the final Stage 1 response.
4.14	A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints procedure	Yes	Section 3.33 of our policy sets out the reasons for not escalating a complaint to

	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.		Stage 2 of the process, making it clear that these are not limited.
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	Record of the complaint, reviews and outcomes at each stage are kept on Feedback Manager, with a unique case reference.
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	Section 4.1 of our policy sets out our approach if we feel that resident behaviour is unacceptable.

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	Section 3.24 sets out how we will address a complaint in the early stages, ensuring the desired outcome is defined.
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	Our policy sets out our approach the complaint investigations in section 3.2, factoring in this requirement.

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	Although our policy does not specifically reference this, it does set out support for residents who complaint in section 5.12. Customers routinely request that a representative deal with the complaint on their behalf. This principle is included within all complaint handling training for staff.
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	This principle is included within all complaint handling training for staff. The complaints team work closely with the Legal Disrepair team and the Insurance team to ensure the legal obligations for any complaint is understood.
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	This principle is included within all complaint handling training for staff
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	This principle is included within all complaint handling training for staff
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.	Yes	Feedback is sought through our quarterly Tenant Satisfaction Measures survey
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	This principle is included within all complaint handling training for staff
4.19	Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their	Yes	This principle is included within all complaint handling training for staff. In section 4.22, our policy makes it clear that

needs and should demonstrate regard for the provisions of	limited contact will only be applied in
the Equality Act 2010.	exceptional circumstances.

## Section 5 - Complaint stages

## Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.1	Landlords must respond to the complaint <b>within 10 working days</b> 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	Section 3.25 of our policy sets out that customers should receive a response within 10 working days, or within an extension period agreed with the customer.
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	Outstanding actions are logged to the complaint case after the final response is sent. These are then tracked on a separate report.
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 template final response letter dictates that complaint responses should be broken down into the constituent components of the complaint, with a response provided for each component.
5.8	<ul> <li>Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language:</li> <li>the complaint stage</li> <li>the decision on the complaint</li> <li>the reasons for any decisions made</li> <li>the details of any remedy offered to put things right</li> </ul>	Yes	Our template final response letter ensures that each of these points are included.

<ul> <li>details of any outstanding actions</li> <li>details of how to escalate the matter to stage two if the</li> </ul>
resident is not satisfied with the answer

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	Section 3.3 of our policy sets out how customer may escalate their complaint to Stage 2 of the process
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	Section 3.32 of our policy sets out that the complaints team will review Stage 2 requests and determine whether emerging issues should be raised as a new complaint.
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	Escalation to Stage 2 must be requested by the resident. Where this is not clear the Customer Experience Team will contact the customer to discuss.
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	Section 3.34 of our policy states that Stage 2 complaints are allocated to a senior manager or head of service who is not responsible for the service about which the complaint has been made.

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.	Yes	Section 3.35 of our policy sets out that a Stage 2 complaint response will be sent within 20 working days.
5.16	<ul> <li>Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:</li> <li>the complaint stage</li> <li>the complaint definition</li> <li>the decision on the complaint</li> <li>the reasons for any decisions made</li> <li>the details of any remedy offered to put things right</li> <li>details of any outstanding actions</li> <li>and</li> <li>if the landlord has a third stage, details of how to escalate the matter to stage three</li> <li>if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.</li> </ul>	Yes	Section 3.35 of our policy states that the Stage 2 investigator should provide a full explanation of their decision to the resident. Our Stage 2 complaint response template ensures the relevant points are covered.

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	Our complaints process follows a two-stage approach and there is no stage 3.

5.20	Landlords must confirm the following in writing to the resident at	NA
	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	

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.	Yes	Our policy covers extensions to Stage 1 deadlines in section 3.25
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.	Yes	Contact details for the Housing Ombudsman are provided to the resident throughout the complaints process at Stage 1 and Stage 2, with encouragement to make contact if they wish to do so.
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	These principles are included in our complaints handling training for staff

5.7	Where residents raise additional complaints during the	Yes	These principles are included in our
	investigation, these should be incorporated into the stage one		complaints handling training for staff
	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

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	Extensions to Stage 2 deadlines are not currently covered in our policy.
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	Extensions to Stage 2 deadlines are not currently covered in our policy.

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.		NA

5.19	Where agreement over an extension period cannot be reached,	NA
	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

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	These principles are included in our complaints handling training for staff. Complaint response templates set out a structure to follow this principle.
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	Section 3.26 of our policy sets out the remedies which may be offered because of complaint resolution.
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	Section 3.26 of our policy sets out the remedies which may be offered because of complaint resolution.
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	Section 3.27 of our policy sets out our approach to compensation. Compensation is calculated by a renumeration calculator which factors in each of these elements

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	Complaint themes are routinely monitored with improvements to process put in place by the relevant department.
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 principle is included in complaint handling training for staff. The complaints team work closely with the Insurance team and the Legal Disrepair team to determine when complainants may have a legal entitlement and advise the resident accordingly.

## 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	Information about complaints is included in our annual report. KPIs and complaint outcomes will be reported regularly to residents via our newsletter and on the website in Q3 2023/24.

Code section	Code requirement	Comply:	Evidence, commentary and any
		Yes/No	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	The Chair of CIC, who is also a Board member, is the complaints lead for Eastlight and is presenting a complaints update in October 2023.
7.4	<ul> <li>As a minimum, governing bodies should receive:</li> <li>Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders</li> <li>Regular reviews of issues and trends arising from complaint handling,</li> <li>The annual performance report produced by the Ombudsman, where applicable</li> <li>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.</li> </ul>	Yes	This has been added to the Board agenda in 2023/24.
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 Complaints & Feedback Monitoring Group meets regularly throughout the year to monitor complaint performance, themes and learning opportunities, putting these into practice to improve services. The group consists of Heads of Service and Directors from across the business.
7.6	Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:	No	There is not yet a standard objective for all employees in relation to complaint handling.

•	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
	<ul> <li>act within the Professional Standards for engaging with</li> </ul>
	complaints as set by the Chartered Institute of Housing.

## Section 8 - Self-assessment and compliance

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	The most recent self-assessment was carried out in September 2023.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	A restructure of the complaints team was carried out in August 2023. The annual self- assessment was delayed to coincide with the launch of this restructure.
8.3	<ul> <li>Following each self-assessment, a landlord must:</li> <li>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</li> <li>publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents</li> <li>include the self-assessment in their annual report section on complaints handling performance</li> </ul>	Yes	The outcome will be presented to Board in October 2023 and presented to residents via our website in November 2023.