

Self-assessment against the Housing Ombudsman Complaint Handling Code



Housing Ombudsman Complaint Handling Code Self-Assessment Progress Housing Group May 2023

Please note the highlighted items are 'should' requirements of the Complaint Handling Code.

Section 1 – Definition of a complaint

Code	Code requirement	Yes/ no	Commentary
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>	Yes	Quoted in the complaints and feedback policy and the how to make a complaint section on The Group's website. www.progressgroup.org.uk/contact-us/how-to-make-a-complaint/
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	Included in Group policy and training.
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	Training, ongoing guidance/scripting provided to colleagues, including case studies provided by the Housing Ombudsman.
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.	No	Standard wording on all surveys is being considered to meet this 'should' requirement.
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	Training, guidance, and briefings provided.
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	Included in Group policy and training.
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	Included in Group policy.
1.9	If a landlord decides not to accept a complaint, a detailed explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Housing Ombudsman.	Yes	Included in Group policy and training. Template letters in place.

Section 2 – Accessibility and awareness

Code	Code requirement	Yes/ no	Commentary
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	<p>Details of how to make a complaint are available:</p> <ul style="list-style-type: none"> • Group policy • Group website • Tenant newsletter • Complaints leaflets • Video on website.
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	Customers can make complaints via social media which are then logged and managed through our complaint procedure.
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	<p>Two versions of the complaints leaflet, including an Easy Read version and a video on the Group website.</p> <p>Available in supported living and independent living schemes.</p> <p>Printed versions available.</p>
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	<p>Details of how to make a complaint are available:</p> <ul style="list-style-type: none"> • Group policy • Group website • Tenant newsletter • Complaints leaflets • Video on website.

2.5	<p>Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs.</p> <p>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.</p>	Yes	<p>Group Equality, Diversity and Inclusion Policy.</p> <p>Group Complaints and Feedback Policy.</p> <p>Reasonable adjustments will be made based on individual customer needs.</p>
2.6	<p>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.</p>	Yes	<p>Details of how to make a complaint are available:</p> <ul style="list-style-type: none"> • Group policy • Group website • Tenant newsletter • Complaints leaflets • Video on website. <p>This includes Housing Ombudsman details, which is also included in all written responses.</p>
2.7	<p>Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.</p>	Yes	<p>Provided on website, leaflets, policy and all written letters.</p>
2.8	<p>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.</p>	Yes	<p>Advised in acknowledgement and closing letters at each stage.</p>

Section 3 – Complaint handling personnel

Code	Code requirement	Yes/ no	Commentary
3.1	<p>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".</p>	Yes	<p>Customer feedback co-ordinator in post, supported by Customer Feedback Team.</p> <p>Quarterly reports to Executive Board.</p> <p>Annual report to Board.</p>
3.2	<p>... the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.</p>	Yes	<p>Customer feedback co-ordinator fully skilled, not directly involved in service delivery.</p>

3.3	<p>Complaint handlers should:</p> <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	Training provided to all colleagues involved in complaints.
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Section 4 – Complaint handling principles

Code	Code requirement	Yes/ no	Commentary
4.1	<p>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.</p> <p>It is not appropriate to have extra named stages (such as ‘stage 0’ or ‘pre-complaint stage’) as this causes unnecessary confusion for residents.</p> <p>When a complaint is made, it must be acknowledged and logged at stage 1 of the complaints procedure within five days of receipt.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>Group policy and training.</p> <p>Case information held on core housing system.</p> <p>First point of contact resolution attempted, but does not delay progression through complaints procedure.</p> <p>Group policy.</p>
4.2	<p>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.</p>	Yes	Included in complaint acknowledgements, training and guidance.
4.3	<p>Landlords should manage residents’ expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic.</p>	Yes	Included in training.

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	Guidance provided in training.
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	Included in Group policy, leaflets and video on our website.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	Group policy. If the complaint is about an employee, it is passed to the manager. If senior manager involved at stage 1, they will not review at stage 2.
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	Included in training.
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	Customers are advised of responsibilities and obligations when handling complaints.
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	On advice from the Housing Ombudsman, named colleagues or contractors will only be identified when used by the complainant.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	Group policy and training.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication.	Yes	This is included in the training.

4.12	<p>The resident, and if applicable, any staff member who is the subject of the complaint, must also be given a fair chance to:</p> <ul style="list-style-type: none"> • set out their position • comment on any adverse findings before a final decision is made. 	Yes	This is included in the training.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint.	Yes	Group policy.
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.	Yes	Group policy.
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	All correspondence and contact is recorded on core housing system.
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	Complaint satisfaction surveys following case closure. Feedback provided to Tenant Forum, Tenants' Voice - Improving Services group and Your Voice meetings.
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	Training for colleagues involved in 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	Group unacceptable behaviour procedure in place.
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	Group unacceptable behaviour procedure in place

Section 5 – Complaint stages (stage 1)

Code	Code requirement	Yes/ no	Commentary
5.1	Landlords must respond to the complaint within 10 working days of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	A complaint is acknowledged within five working days and responded to in writing within ten working days.
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	Group policy and training.
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	Housing Ombudsman’s contact details in all correspondence and templates.
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	Training and guidance provided.
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	Training and guidance provided. Actions recorded on core housing systems and monitored.
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	All complaints responded in writing, templates to guide responses.
5.7	Where residents raise additional complaints during the investigation, these should be incorporated into the stage 1 response if they are relevant and the stage 1 response has not been issued. Where the stage 1 response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.	Yes	Training and guidance provided.

5.8	<p>Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language:</p> <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 2 if the resident is not satisfied with the answer. 	Yes	All information included in templates for responses which are sent in writing.
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Stage 2

Code	Code requirement	Yes/ no	Commentary
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage 1 it must be progressed to stage 2 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	In Group policy and procedures.
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	Customers are asked for further clarification where required.
5.11	Landlords must only escalate a complaint to stage 2 once it has completed stage 1 and at the request of the resident.	Yes	This is discussed with the customer.
5.12	The person considering the complaint at stage 2, must not be the same person that considered the complaint at stage 1.	Yes	Stage 2 reviews carried out by a senior manager not involved at stage 1.

5.13	Landlords must respond to the stage 2 complaint within 20 working days of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	Group policy – stage 2 review is to respond within 10 working days. Any extension is agreed with the customer.
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.	Yes	Once agreed, confirmed in writing.
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.	Yes	When confirmed in writing, Housing Ombudsman’s contact details are included.
5.16	Landlords must confirm the following in writing to the resident at the completion of stage 2 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 3 if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied. 	Yes Yes Yes Yes Yes Yes N/A Yes	

Stage 3

Code	Code requirement	Yes/ no	Commentary
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	We have a two stage process.

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 3 complaint within 20 working days of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage 3 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	
5.20	Landlords must confirm the following in writing to the resident at the completion of stage 3 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 	N/A	

Section 6 – Putting things right

Code	Code requirement	Yes/ no	Commentary
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	Training, guidance and template letters. Goodwill/compensation Policy.

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	Training, guidance and template letters. Goodwill/compensation Policy.
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	Lessons learnt looks at any wider changes required as a result.
6.4	Missing from Housing Ombudsman Code.		
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	Any outstanding actions are monitored. When goodwill or compensation is offered, tenants are advised to allow 10 working days for payment to be processed.
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	Goodwill/compensation Policy.
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	Legal advice obtained when required.

Section 7 – Continuous learning and improvement

Code	Code requirement	Yes/no	Commentary
7.1	Missing from Housing Ombudsman Code.		
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	We do report on lessons learnt via board reporting and customer forums. This will be included in our annual report.

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	Executive director (operations and support) identified as lead.
7.4	<p>As a minimum, governing bodies should receive:</p> <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. 	<p>Yes</p> <p>Yes</p> <p>No</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>Provided in Board reports.</p> <p>Provided in Board reports.</p> <p>Will be provided as and when produced by the Housing Ombudsman.</p> <p>Provided in Board reports where necessary.</p> <p>There are mechanisms in place to track senior management responses to stage 2 complaints.</p> <p>Provided to Board at the end of each financial year.</p>
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.	Partially	Learning from complaints are used to inform policy and procedure reviews. Reporting on themes and trends are currently in development.

7.6	<p>Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:</p> <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	Training and guidance is given to colleagues and promotion through intranet articles of complaint resolution.
		Yes	The Group encourages colleagues to take responsibility and acknowledge any service failures identified and to be transparent with our customers.
		Yes	The Group values meet with the professional standards set by the Chartered Institute of Housing.

Section 8 – Self-assessment and compliance

Code	Code requirement	Yes/ no	Commentary
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	
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	
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. 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>Provided to Board alongside the quarter four Board report.</p> <p>Is included in the complaints section on the website.</p> <p>This will be included in our annual report section on complaints handling performance.</p>