

PH Self-Assessment Form

Housing Ombudsman Complaints Handling Code

Reviewed April 2022

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>	Yes	The definition was updated in our Customer Care policy in July 2020.
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	Complaints is defined as an 'expression' of dissatisfaction, regardless of whether the word complaint is used or not.
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	Complaints which are within the definition are logged as a complaint..
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	Our policy clear states what we treat as a complaint and what we don't. The exclusions stop channel-hopping; avoid the complicating/confounding of legal or other proceedings; and restrict to what Poplar HARCA has control over.
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	The exclusions are: a. Can be decided by an alternative process b. Happened more than six months ago

			<p>c. Has already been raised as a complaint</p> <p>d. Has been referred for legal proceedings</p> <p>e. Is about a third party</p> <p>f. Is about compliance with law or regulation</p> <p>g. Is about PH as an employer</p>
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 not accepted as a 'formal' complaint, the enquiry is logged and responded to as correspondence with the reasons as to why it is not treated as a complaint.

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 have a clear definition in our Customer Care policy. The Complaints Training reinforces the definition of a complaint and differentiates it from a service request.
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	<p>Our Customer Care policy is available in a clear and accessible format.</p> <p>https://www.poplarharca.co.uk/complaints</p> <p>All staff members are trained to be able to sign post residents on how to make a complaint.</p> <p>We follow up dissatisfaction with a contact where the resident has given permission to do so.</p>

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	In writing, in person, online, by phone, using social media. https://www.poplarharca.co.uk/complaints
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	https://www.poplarharca.co.uk/complaints
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	https://www.poplarharca.co.uk/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.	Yes	PH's policy is to comply with its legal and regulatory obligations. It carries out impact assessments to identify potential issues with changes to policies and practices.
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	The information is available online and is featured in newsletters https://www.poplarharca.co.uk/complaints https://www.poplarharca.co.uk/about-us/complaints/housing-ombudsman/ This information is available in our resident newsletter.

2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	The information is available on-line, and is featured in newsletters and responses Our response templates will be further updated to include this information from the initial stage
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	The information is available online with useful contact details, previous case summary and useful information. We have a dedicated Customer Relations Team. The Team acts as 'honest broker' between residents and Teams when matters become complex or tense. They also advise residents accordingly Our response templates will be updated to include this information from the initial 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	Complaints can be made through social media. Our Comms Team acknowledge, collect, ask for contact details and pass onto the Complaints Team. We do not post our response on social media. All staff are trained on Data Protection.

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	We have a dedicated Customer Relations Team. The Team acts as 'honest broker' between residents and Teams when matters become complex or tense. It facilitates all Review Panels, and can commission 'expert' independent advice. The Team has direct access to the Chief Executive, and reports to CMT.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	Training is regularly carried out for teams. Briefing through roadshows and awareness materials are shared.

Best practice 'should' requirement

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	Training sessions focus on these areas. We have carried out 'Whats our Customer Style' training in 2021, followed by Complaints Scenario videos on how to deal with complaints. Our Customer Relations Team support and compliment the departments in achieving this.

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	This covered by our Complaints procedure We log complaints on our Complaints database We have a 2 day target for acknowledgement
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	This is reinforced through our training and awareness campaigns. We will start to use the Ombudsman response templates to train individuals.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	This is reinforced through our training and awareness campaigns. At review stage, a 2 person panel (Director or Asst Director of the service complained about, plus a senior officer from another service and/or resident) will investigate. The Customer Relations Team is an 'honest' impartial broker between residents and the organisation.

4.7	<p>The complaint handler must:</p> <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	<p>This is reinforced through our training and awareness campaigns.</p> <p>The Complaints Procedure sets this out.</p> <p>This is reiterated in our procedure and training materials.</p>
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	This is set out in our Complaints procedure and in our training materials.
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	<p>Residents and all others involved are always given the opportunity to set out their concerns and the remedy they are seeking.</p> <p>We encourage regular communication before final decision</p>
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	<p>As per Customer Care policy</p> <p>https://www.poplarharca.co.uk/complaints</p>
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	<p>Exclusions and limitations are clearly stated in our Customer Care policy.</p> <p>https://www.poplarharca.co.uk/complaints</p>
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	This is stored against our Complaints database.
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	As per Customer Care policy

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	Staff are trained to manage expectations including being clear on unreasonable and unrealistic outcomes. Staff are trained to ensure residents clearly state their concerns and what remedy they are seeking.
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	We have strict timeframes to adhere to under our policy. Our Customer Relations Team intervene where possible solutions can resolve a complaint.
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	As per Customer Care Policy https://www.poplarharca.co.uk/complaints
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	PH's policy is to comply with its legal and regulatory obligations. It reminds residents of their legal responsibilities through policies and communication materials and sign posts them to relevant authorities
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	Staff training covers this.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	Staff training, policies and procedures reinforce this message
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	Our Customer Relations Team interact with residents on a regular basis picking up on improvement. We carry out complaints review meetings to capture lessons learnt.
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	Complaint review meetings take place to capture lessons learnt and improvement to service delivery. The Complaints Team lead on supporting departments on the complaints process and improvements.
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	PH's policy is to comply with its legal and regulatory obligations. It carries out impact assessments to identify potential issues with changes to policies and practices.

Section 5 - Complaint stages

Mandatory 'must' requirement 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	As per Customer Care Policy https://www.poplarharca.co.uk/complaints
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	This is done in line with our Complaints procedures Where an extension is required, the resident is made aware. Regular complaints reviewing meetings track actions.
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	This is reinforced through staff training and awareness, policy and procedures
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	This is reinforced through staff training and awareness, policies and procedures. The information is set out in our acknowledgement and response.

Stage 2 Best practice 'should' requirements

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	Residents can request a review of any resolve decision. Residents are required to set out reasons why they are not satisfied and the remedies they are seeking. We will communicate in writing if an exclusion applies.
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	As per our acknowledgment responses
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	As per our Customer Care policy https://www.poplarharca.co.uk/complaints
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	As per our Customer Care policy https://www.poplarharca.co.uk/complaints
5.13	Landlords must respond to the stage two 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	As per our Customer Care policy https://www.poplarharca.co.uk/complaints
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	This is reinforced through our policy, procedures, training and awareness materials. This information can be found in our response We do not operate a third stage of the complaints process.

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	n/a
5.20	Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language: <ul data-bbox="320 587 1088 900" 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	n/a

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.	Yes	As per our Complaints Procedure
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	We have not had this scenario but we note the recommendation.
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 standard practice for the investigating officer. This is reiterated in our procedure and training materials.
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 standard practice for the investigating officer. This is reiterated in our procedure and training materials.

Best practice 'should' requirements 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.	Yes	As per our Complaints Procedure
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	We have not had this scenario but we note the recommendation. This is reiterated in our procedure and training materials.

Best practice 'should' requirements 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 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 three response will be received should be provided to the resident.	n/a	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	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.	Yes	As set out in our Customer Care policy and Complaints procedure Training materials also reinforce this
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	As set out in our Customer Care policy and Complaints procedure Training materials also reinforce this
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	As set out in our Customer Care policy and Complaints procedure Training materials also reinforce this

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	As set out in our Customer Care policy Training materials also reinforce this
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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 picked up during complaint review meetings and lessons learnt.
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.	No	Where possible a resolution will be offered however our Customer Care policy clearly states that complaints which can be resolved by an alternative process or subject to legal proceedings will not be treated as a complaint.

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	Resident Annual Report https://www.poplarharca.co.uk/about-us/who-we-are/policies-publications/category/annualreports/ Complaints section on website https://www.poplarharca.co.uk/about-us/complaints/service-improvement/ Performance is reported regularly through the website and to our Services Committee/Board. Complaints Annual Reports are submitted to Services and to Board.

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.	No	We don't have a specific member of our governing body as lead for complaints. Our Services Committee have overview over complaints, its performance and driving improvement culture.
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	Our Services Committee and Board receive quarterly performance report and annual complaints report.
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	Quarterly performance reports Complaints review meetings
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. 	No	We will include an objective in our Customer Care Policy and promote this on our website which reflects best practice. Our corporate values and behaviours, annual targets and training materials all support, compliment and encourage staff to improve our complaints handling.

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	This is scheduled in for April each year.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	The Business Support Team will review the self-assessment following significant changes to structure, policy or procedure. This is considered when making changes to structure, policy or procedure.
8.3	Following each self-assessment, a landlord must: <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 	Yes	Self-assessment is reported to Services Committee and to Board. A copy of the assessment is published on our website. It has been noted to add the assessment to the 2022-23 annual report as the new requirement was not published in time for the current annual report.