

Housing Ombudsman Complaint Handling Code: Self-assessment form

Compliance with the Complaint Handling Code			
1	Definition of a complaint	Yes	No
	<p>Does the complaints process use the following definition of a complaint?</p> <p><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></p>	Yes	
	Does the policy have exclusions where a complaint will not be considered?	Yes	
	Are these exclusions reasonable and fair to residents?	Yes	
	Evidence relied upon		
<p>Exclusions</p> <p>Legal Action - The policy was revised by Board in November 2020 to clarify what constitutes commencement of legal proceedings for this exclusion to apply. This is fair to residents as they have a route of redress which they have chosen.</p> <p><i>“Where legal proceedings have been started by the complainant against bdht the claim will be referred to bdht solicitors and addressed as part of the legal proceedings.</i></p> <p><i>Bdht shall deem legal proceedings to have commenced where bdht</i></p> <ul style="list-style-type: none"> <i>is advised by the complainant, or their legal advisers, that papers have been lodged with the court to commence proceedings, or</i> <i>is served papers by the court confirming legal proceedings have been commenced.</i> <p><i>Where bdht receives a Housing Disrepair Pre-Action Protocol letter or a Disrepair Counter Claim from a customer or Solicitor it will be forwarded immediately to bdht solicitors.”</i></p>			

Insurance Claims

“Where a complaint includes an allegation that a bdht service failure has resulted in:

- *personal injury, or*
- *damage to a claimants property or possessions with a value of £1,000 or more,*

the complaint will only be considered under the bdht Complaint Policy following a final determination made by bdht’s insurers.”

Compliant on the basis that the issue is being addressed, initially by insurers and ultimately via complaints process. To remove this provision could leave bdht open to being uninsured for specific failures as a result of invalidating our insurance.

Persistent Complaints

“Occasionally a customer may repeatedly complain about the same issue. Customer action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the user continues to dispute the decision made by bdht – be it the determination of a complaint or the manner in which the case was handled.

Where a complainant is considered to be “unreasonably persistent” bdht will not open a “new” complaint or “re-open” a previous case unless significant new information relating to the issue is provided.”

Compliant – is consistent with Code of Practice – these matters have already been considered under the complaint policy with option available to escalate for independent review by the Housing Ombudsman. The policy allows significant new information to be taken into account when a further case can be taken.

Alleged Failure to Comply with the General Data Protection Regulations (GDPR)

“Where a complainant alleges a failure to comply with the provisions of the GDPR and refers their complaint to the Information Commissioners Office the complaint (in regard to the alleged breach) will be dealt with through the ICO and will be removed from the bdht complaint process.”

Compliant - fair and reasonable to customer as the issue is being dealt with via ICO

Appeals

“The policy sets out decisions taken by bdht which carry an explicit right of appeal by an officer independent of the original decision-making process. Any expression of dissatisfaction received against such a decision will be considered in accordance with the appeal procedure rather than through the Complaints policy and procedure.”

<p>Compliant - fair and reasonable, only excludes where decision is contested, customer still has an avenue for redress re the decision. Complaint process available for actual service failure.</p> <p>Historic Issues</p> <p><i>“bdht will not accept complaints about issues that occurred over six months prior to the complaint being received, unless the problem relates to a recurring issue.</i></p> <p><i>In exceptional circumstances, such as landlord responsibilities to residents health and safety, bdht may accept complaints about issues arising more than 6 months ago, at the discretion of the Head of Business Improvement.”</i></p> <p>Compliant - Included in version of Complaint Policy approved by Board (November 2020) as set out in Complaint Handling Code.</p>		
2 Accessibility		
Are multiple accessibility routes available for residents to make a complaint?	Yes	
Is the complaints policy and procedure available online?	Yes	
Do we have a reasonable adjustments policy?	Yes	
Do we regularly advise residents about our complaints process?	Yes	
3 Complaints team and process		
Is there a complaint officer or equivalent in post?	Yes	
Does the complaint officer have autonomy to resolve complaints?	Yes	
Does the complaint officer have authority to compel engagement from other departments to resolve disputes?	Yes	
If there is a third stage to the complaints procedure are residents involved in the decision making?	NA	
Is any third stage optional for residents?	NA	
Does the final stage response set out residents’ right to refer the matter to the Housing Ombudsman Service?	Yes	
Do we keep a record of complaint correspondence including correspondence from the resident?	Yes	
At what stage are most complaints resolved?		
During 2019/20 58% of all complaints were resolved as “quick fixes”. Of the 93 complaints resolved through the formal process 82% were resolved at Stage 1.		
4 Communication		
Are residents kept informed and updated during the complaints process?	Yes	
Are residents informed of the landlord’s position and given a chance to respond and challenge any area of dispute before the final decision?	Yes	
Are all complaints acknowledged and logged within five days?	Yes	
We have a target of 3 working days to log and acknowledge complaints, during 2019/20 100% were acknowledged and logged within target.		

	Are residents advised of how to escalate at the end of each stage?	Yes	
	What proportion of complaints are resolved at stage one?		
	During 2019/20 82% of formal complaints were resolved at Stage1		
	What proportion of complaints are resolved at stage two?		
	During 2019/20 17% of formal complaints were resolved at Stage 2. 1 complaint was escalated to the IHO.		
	What proportion of complaint responses are sent within Code timescales? <ul style="list-style-type: none"> • Stage one Stage one (with extension) • Stage two Stage two (with extension) 		
	During 2019/20 performance was: Stage 1 (10 Working Days) = 82% Stage 1 Extension (20 Working Days) = 94% Stage 2 (20 Working days) = 100% Stage 2 Extension (30 Working Days) = 100%		
	Where timescales have been extended did we have good reason?		No
	For those minority of complaints that do take longer than target to investigate than targeted this is usually because <ul style="list-style-type: none"> • the case is particularly complex and additional information is required, and • availability of the complainant to meet the investigating officer, particularly at holiday times. In some cases, however, managers have not recorded reasons for targets being missed and, therefore, we cannot prove compliance in all cases.		
	Where timescales have been extended did we keep the resident informed?	Yes	
	What proportion of complaints do we resolve to residents' satisfaction		
	During 2019/20 67% of respondents expressed satisfaction. Although survey forms with pre-paid reply envelopes are supplied on closure to all customers (with a prize draw incentive) just 12 customers responded.		
5	Cooperation with Housing Ombudsman Service		
	Were all requests for evidence responded to within 15 days?	Yes	
	Where the timescale was extended did we keep the Ombudsman informed?	NA	
6	Fairness in complaint handling		
	Are residents able to complain via a representative throughout?	Yes	
	If advice was given, was this accurate and easy to understand?	Yes	
	How many cases did we refuse to escalate? What was the reason for the refusal?		

	None		
	Did we explain our decision to the resident?	NA	
7	Outcomes and remedies		
	Where something has gone wrong are we taking appropriate steps to put things right?	Yes	
8	Continuous learning and improvement		
	What improvements have we made as a result of learning from complaints?		
	<p>Complaints from customers have contributed to a number of significant changes in service delivery, these include</p> <ul style="list-style-type: none"> • changing make of gas boilers fitted to customers properties (to Worcester Bosch) • internalisation of gas repairs and servicing • removal of some non-traditional heating technologies due to delays/difficulties repairing • changing the way planned works programmes are managed (internalisation). • Revising the way we identify and manage mould and damp • Revisions to information we provide around service charges <p>In addition to these many small scale tweaks to procedures have been made including;</p> <ul style="list-style-type: none"> • Revised guidance on repair responsibilities where non-standard fittings have been “gifted” to in-coming tenants • Communal cleaning contract meetings with contract managers • Annual HB/DD account payment reconciliations to ensure correct changes in DD are taken at start of each financial year. 		
	<p>How do we share these lessons with:</p> <p>a) residents?</p> <p>b) the board/governing body?</p> <p>c) In the Annual Report?</p>		
	<p>Lessons learnt from complaints are reported throughout the year via social media as “you said...we did and annually via the Annual Report to Residents.</p> <p>The Board receive</p> <ul style="list-style-type: none"> • information at each Board meeting on all health and safety related complaints and all complaints escalating to Stage 2 via the Chief Executive’s report. 		

	<ul style="list-style-type: none"> An annual summary of all complaints, complaints performance, key themes and learning applied. <p>In addition the Resident Scrutiny Panel monitor complaints quarterly and can raise any concerns with Board at any meeting or via their twice yearly report to Board.</p>		
	Has the Code made a difference to how we respond to complaints?	Yes	
	What changes have we made?		
	<ul style="list-style-type: none"> Slight change to our definition of a complaint. The right of the customer to be notified of any adverse decision and be given the opportunity to challenge prior to issue. Amendments to exclusions as set out above. Confirmation of the Business Improvement Team as central point of contact on complaints for customers and the Housing Ombudsman. Publication of complaint policy on website. Set out grounds for early closure of complaints. Policy now sets out the extent and circumstances for the use of discretion in managing complaints. Include contact details of the Ombudsman from the start of the process. Update service standard re acceptance of complaints raised via social media, update policy to set out how confidentiality will be maintained. Extend target days to 10 working days for Stage 2 complaints. Annual report to Board (replaces quarterly reports previously presented to the Performance & Review Committee). 		