

Housing Ombudsman

Stevenage Borough Council Self-Assessment

17th March 2023

Section 1 - Definition of a complaint

Mandatory 'must' requirements

Code section	Code requirements	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 of a complaint set by the Housing Ombudsman is set out in Stevenage Borough Council's (SBC) Complaints Policy. Link to the policy is here https://www.stevenage.gov.uk/have-your-say/complaints-policy
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	SBC's complaints handling procedure sets out the responsibility for officers to recognise the difference between a request for services and a complaint. Officer training includes the definition of a complaint. Third party complaints will continue to be dealt with through the complaints process
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	<i>Procedure – will outline this and supporting training</i>
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	✓	Specified in corporate complaints policy <i>Procedure – will outline this and supporting training</i>
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 new policy defines specific exemptions for a matter not to be taken through the complaints 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 Ombudsman.	Yes	The complaints handling procedure outlines how to progress a complaint that is not accepted with clear communication with the customer.

Best practice ‘should’ requirements

Code section			

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	Complaints can be raised via: <ul style="list-style-type: none"> - Online on our website - Via the telephone - Face to face in our Customer Service Centre or visiting officer - Social Media They can also raise a complaint to an Elected Member as a representative.
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	Policy is published on our website and available in hard copy on request. The new procedure and training sets out the support available for customers who requires assistance to access our services.
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	All information can be found on the complaints page on our website
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	Our policy, implemented in November 2022 does sets out how we will respond. The organisation has designated Equalities role and our Customer Services teams are trained to support those with additional requirements.

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Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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	All information can be found on our website. Ombudsman contact details are provided with complaint responses at Stage one and two.
2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.		Steps have been taken to publish the Ombudsman details in places like, auto-acknowledgments and signatures for the organisations Housing Teams.
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 Housing Ombudsman information is published on our website and will be provided at both Stage 1 and 2 under our complaints policy. Customer Services currently advice customers of the full process of making a complaint including offering the details of the Ombudsman.

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	Customer Services currently log complaints that are presented via Social Media channels and/or signpost the resident to our online form. Making a complaint via social media follows the same process and details will be found in our complaints handling procedure.

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	SBC have a corporate complaints handling team and specific to Housing there are four Strategic Complaints Manager roles.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	Complaint handlers are measured against our competency framework. An ongoing training programme is planned to support the role out of the policy and procedure implemented in November 2022.

Best practice 'should' requirements

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	Housing Strategic Complaints Managers personnel are recruited and assessed against the corporate competency framework. These roles are designed to resolve complaints quickly and work with service managers to implement improvements from learning.

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	<p>Our policy sets out two stages. There are clear expectations of how officers should handle a complaint including the definition of a complaint.</p> <p>Complaints are raised through a case management system where documentation, case actions and notes are saved. This is outlined in our complaints handling procedure.</p> <p>Customers are made aware that their complaint will be formally acknowledged within five working days of receipt of the a complaint. This is set out in out policy and procedure.</p>
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	<p>November 2022:</p> <p>The complaint acknowledgment will be sent by our central complaints team with the details of the complaints, the resolution requested and the target date.</p> <p>For complaints raised via our online portal, the resident will have a view of the complaint within their online account.</p> <p>For complaints raised via and officer or the contact centre will be read back to the customer and the content agreed with the customer.</p>

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Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	There are four Strategic Complaint Manager roles these are centralised roles working outside of the service area. These roles will investigate, work with the resident and resolve the complaint with the support of the Service Manager.
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	Our procedure and training sets out the expectation of how a complaint is handled.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	Informally, Strategic Complaints Managers are proactive and work with residents to manage communication during the investigation of the complaint. Our complaints handling procedure defines best practice with regards to communication with a resident during a complaints investigation.
4.12	The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to: <ul style="list-style-type: none"> set out their position comment on any adverse findings before a final decision is made.	Yes	This is set out in both the complaints handling policy.

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Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	Timescale of 15 days is set out in the policy.
4.14	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	SBC will except all escalations unless it meets and exclusion reason outlined in the 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	SBC will implement a new case management system which will hold: <ul style="list-style-type: none"> - The complaint - Investigation correspondence - Correspondence with the resident - Response
4.18	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.	No	An unacceptable behaviour policy was implemented in November 2022.

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	No	<p>The complaints procedure defines the expectation for communicating with the customer and promotes best practice.</p> <p>Informally, managing expectations is carried out during the complaints handling investigation.</p> <p>Plans are in place to include this in ongoing positive complaints handling training.</p>
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	The procedure sets out the requirement for all complaints to be reviewed within 1 working day of the investigation stage. This is to ascertain what is required to investigate the complaint and assess the urgency. For example, is there an active emergency issue in the property.
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	Our policy and procedure sets out complaints can be handled by a third party with authority from the resident.
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.		

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Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	Any reference to individuals will be in-line with GDPR guidelines and will be factual in nature. For example, <i>Our guttering inspector, Joe Bloggs attended on xyz date.</i>
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	The complaints handling procedure and training shares best practice which includes keeping residents up to date with the progress of an investigation, particularly when a complaint is complex and may require and extension.
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.	No	There are future plans to resume complaint handling satisfaction surveys.
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	There has been a recent service review on complaints handling which includes recommendations on embedding a new system to make complaint handling simpler, a new policy and procedure and embedding a positive complaints handling culture.
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	The unreasonable behaviour policy and procedure ensures customers are treated fairly will include a review panel, a review period and/or a single point of contact.

Section 5 - Complaint stages

Mandatory 'must' requirements

Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.1	Landlords must respond to the complaint <u>within 10 working 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	The policy and procedure sets out the response deadlines: <ul style="list-style-type: none"> - 5 days for acknowledgement - 10 days to respond to Stage 1 If an extension is required, this will with agreement of the resident.
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 defined within the procedure, guidance and training.
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 set out in the complaints handling procedure and training.
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 set out in the complaints handling procedure and training.

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two of the landlord's procedure unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.	Yes	Defined in the Complaints policy and procedure. SBC progress all requested escalations. If an exclusion applies, the resident will be informed.
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	Set out in our escalation information the customer is asked to explain why they remain unsatisfied and the resolution they are seeking from the escalation to Stage 2.
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	This is defined in the policy and procedure.
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	Our policy and procedure sets out: Stage 1 – Service Manager Stage 2 – Senior Manager (Grade 9 and above)
5.13	Landlords must respond to the stage two complaint <u>within 20 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	Our policy and procedure specifies complaint response time targets for complaints. Stage 2 - 20 working days.
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 	Yes	This is defined in our policy and is covered in both training and the complaints handling procedure.

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Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
	<ul style="list-style-type: none">the details of any remedy offered to put things rightdetails 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 threeif this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.		

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.	Yes	The policy sets our two-stage complaint handling process.
5.20	Landlords must confirm the following in writing to the resident at the completion of stage three 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	

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	All extension requests are only authorised by the central complaints team with agreement of the resident.
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	When an extension cannot be agreed, the central complaints team will advise and/or provide Ombudsman details to the resident.
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	Older reports where known will be considered as part of the investigation.
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	Current practice is to review updates from residents, add to the stage 1 complaint where possible and for unrelated updates a new complaint is raised.

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	All extensions are agreed with the resident. This is defined in our new policy and Complaints handling 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	Where an agreement for an extension cannot be made, the information for the Housing ombudsman is provided to the resident.

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint <u>within 20 working days</u> of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.	N/A	
5.19	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	N/A	

Section 6 - Putting things right

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.1	Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right.	Yes	The Policy and Complaints handling procedure sets out best practice in resolving complaints. Training will continue throughout 2023/2024 to embed this approach.
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	There is a discretionary compensation policy in place. This is due to be reviewed in 2023/2024.
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	Managed by the Strategic Complaints Managers.
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	Managed by the Strategic Complaints Managers.

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.	No	
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	

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	<p>SBC policy sets out:</p> <p>We also take a positive approach to learning from complaints. We encourage our services to learn from things that have gone wrong so we can make them better in the future. In some cases we may publish online learning online so we can show to you how we listen.</p>

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.	Yes	The Executive portfolio holder for Digital and Transformation is responsible for overseeing the development of the corporate complaints policy and procedure.
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	The Executive board receives quarterly performance reports on volumes, outcomes and trends.
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.	No	A formalised approach to reviewing issues, risks and trends will be implemented to support the new complaints process.
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 	No	

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Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
	<p>resolving complaints, working with colleagues across teams and departments</p> <ul style="list-style-type: none">• 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.		

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	Completed and published in October 2022. Reviewed and updated March 2023.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	A new self-assessment will be published following the implementation the new Policy and Procedure in November 2022.
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 	Yes	Self-assessment will be shared with the Portfolio holder in Q2 performance reporting. Assessment will be published on our website here https://www.stevenage.gov.uk/have-your-say/compliments-and-complaints