### Appendix A: Complaints Handling Code Self-assessment form

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| **Compliance with the Complaint Handling Code** | | | |  |
| **1** | **Definition of a complaint** | **Yes** | **No** | **Action required** |
| **1.1** | **Does the complaints process use the following definition of a complaint?**  The Code defines a complaint as:  *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*.  **RMBC COMPLAINTS POLICY** describes a complaint as:  *A complaint is any expression of dissatisfaction about the council’s actions, or standard and quality of service – which requires response. The response may be to put things right straightaway, or to investigate the matter further.*  *A complaint could include any of the following concerns:*   * *a customer* ***cannot access*** *a service* * *we* ***delay*** *or* ***fail to deliver*** *a service* * *we provide a* ***poor quality*** *service* * *we* ***reduce*** *or* ***withdraw*** *a service* * *a member of staffs* ***attitude*** *or* ***competence*** *causes concern* * *we* ***fail to meet*** *our statutory responsibilities*   **HOUSING COMPLAINTS PROCEDURE**  *You make a complaint when you are not happy with the standard of service you have had from us. This will affect you or your family and friends and will need a particular response from us.*  NB: The existing corporate definition of a complaint and the code definition are substantially similar, it is likely it will remain substantially unchanged by the review. | **Yes** |  |  |
| **1.2** | **Does the policy have exclusions where a complaint will not be considered?** | **Yes** |  |  |
| **1.3** | **Are these exclusions reasonable and fair to residents?**    The existing policy and procedures are as follows:  **RMBC POLICY**  *A complaint is* ***not****:*   * *a first request for service* * *a query about service provision* * *a query about progress of a specific issue* * *a suggestion for service improvement or enhancement*   **HOUSING PROCEDURE**  *We will not treat certain issues as complaints and where this is the case, we will tell you. For example*  *o If you ask us for a service – such as reporting a repair or antisocial behaviour*  *o If you ask us for information or an explanation of Council policy or practice – such as a request for information regarding tenant alterations*  *o Any issue that is being dealt with in court – such as where we are pursuing legal action against someone for rent arrears*  *o Any issue that is subject to a current insurance claim*  *o Any issue which is agreed Council Policy, where the policy has been followed*  In the above circumstance when a complainant requests to escalate they are advised in writing why the complaint will not be escalated/accepted and advised they can escalate to the Housing Ombudsman and Local Government & Social Care Ombudsman LG&SCO depending on the nature of the complaint. | **Yes** |  |  |
| **2** | **Accessibility** |  |  |  |
| **2.1** | **Are multiple accessibility routes available for residents to make a complaint?**  There are multiple channels through which complaints can be made including:   * phone. * Letter. * Email. * SMS text. * Walk into a Customer Service Centre. * Visits can be made to take statements. * Facebook/social media via the Communications Team. | **Yes** |  |  |
| **2.2** | **Is the complaints policy and procedure available online?**   * The procedure is on-line. * The policy is NOT on-line. | **Yes** |  |  |
| **2.3** | **Do we have a reasonable adjustments policy?**   * Complaints can be made and managed by third parties, this includes support agencies. Authorisation is required, evidence of this can be checked immediately if the authorisation is already recorded on the IT system. * Translation services are available. * CSC’s designed for the hard of hearing and visual impaired. * Letters can be issued in large print. * There are multiple methods of contact and visits can be made to take statements. * Equalities is reinforced with training via mandatory e-modules and departmental training e.g. *Improving the Customer service through Equalities, Complaints and Customer Care.* * Equalities monitoring although there is room to improve the detail potential to drive service improvement. * The Quality Assurance and Challenge Group have reviewed and mystery shop correspondence to ensure correspondence is in plain English. | **Yes** |  | Ongoing review required |
| **2.4** | **Do we regularly advise residents about our complaints process?**   * Every tenancy is let with a link to a tenant’s handbook which includes information on complaints. The booklet can be downloaded for those without access to the internet. * Homes Matters, the tenant newsletter, although this is irregular and could be addressed by inclusion in the Contact Us section. * Annual complaint reporting. * Quality Scrutiny & Challenge Group ( Now HIP). * Each stage complaint letter has a standard paragraph advising how to escalate to the next stage, at stage 2&3 this advises how to contact the HO and LG&SCO in the case of stage 3 “non-landlord” complaints. * The complaints procedure and how to complain is on the website. | **Amber** |  |  |
| **3** | **Complaints team and process** |  |  |  |
| **3.1** | **Is there a complaint officer or equivalent in post?**  There is a Corporate Complaints Team and corporate complaints procedure. There are dedicated Complaints Officers for Council services, including the council housing landlord services. | **Yes** |  |  |
| **3.2** | **Does the complaint officer have autonomy to resolve complaints?**   * There is an emphasis to resolve complaints at each stage of the complaints procedure, at stage 1 they are referred to an appropriate manager this is why only 4% escalated in 2019/20. * The service issues a template to investigating officers to identify the issue and outcome required, and respond in a reasonable manner. It is believed this contributes to the level of resolution by making sure the response addresses the complaint and explains the reasoning for the Councils response. * At stage 2 complaints are investigated by a corporate complaints officer independent of the service. * Heads of service are engaged with complaints, for instance the Head of Contracts, Investment and Compliance signs off complaints to ensure they are fair and reasonable. * Complaints are reported by exception at the Senior Management Team (SMT) each month and complaints are reported at the Departmental Management Team (DMT) quarterly. * Complaints awaiting closure are reported weekly to the DMT. * The Complaints Officer raises issues directly with the Assistant Director. * The above process means complaints are treated seriously at all levels. | **Yes** |  |  |
| **3.3** | **Does the complaint officer have authority to compel engagement from other departments to resolve disputes?**   * The relevant manager leads the investigation at Stage 1 * There is positive culture in relation to complaints and services within the Housing Department to co-operate. * Complaints reporting is a standing monthly item on the SMT agenda. * The reporting to the Assistant Director and SMT and DMT reinforces the culture and co-operation. * The corporate complaints team has lead officers for the various Directorates which helps encourages engagement between Directorates. * There are no examples of services within Housing Services or a service outside of Housing Services refusing to co-operate with an investigation. | **Yes** |  |  |
| **3.4** | **If there is a third stage to the complaints procedure are residents involved in the decision making?**   * The corporate complaints policy includes a third stage for complaints falling under the jurisdiction of the LG&SCO, this includes those housing related services which are not classed as “landlord” function. Stage 3 is a hearing/review conducted by Councillors. * A Designated Tenant Panel was set up by Rotherfed, however no case has ever been heard by it. * Similarly only one complaint has been addressed by a Designated Person since the right to go to a designated person/panel was introduced in 2012. | **Yes** |  |  |
| **3.5** | **Is any third stage optional for residents?**    There is a third stage for those non-housing landlord cases which have the right to escalate to the Local Government and Social Care Ombudsman e.g. Homeless complaints. | **Yes** |  |  |
| **3.6** | **Does the final stage response set out residents’ right to refer the matter to the Housing Ombudsman Service?**  The standard ending to a stage 2 letter is highlighted below.  ***4.Next Steps***  *If you wish to discuss this matter further please do not hesitate to contact me. If you are not satisfied with the outcome to your complaint you can ask for your case to proceed to the Housing Ombudsman Service.*  ***Please Note:*** *complaints can only be referred after 8 weeks following the end of the Council's complaint procedure. You also have the option of referring your complaint to a "Designated Person" during the 8 week waiting period. For information on how to do this, please contact the Council's Housing Complaint Officer on 01709 822216. The Housing Ombudsman Service can be contacted as follows;*  ***Housing Ombudsman Service***  *81 Aldwych*  *London*  *WC2B 4HN*  ***Phone:*** *0300 111 3000*  ***Fax:*** *020 7831 1942*  ***Email:*** [*info@housing-ombudsman.org.uk*](mailto:info@housing-ombudsman.org.uk) | **Yes** |  |  |
| **3.7** | **Do we keep a record of complaint correspondence including correspondence from the resident?**  In addition to the investigating officers records the Complaints Team keeps electronic records of the original complaints and responses in accessible files.  The records are retained in accordance with data protection guidance. | **Yes** |  |  |
| **3.8** | **At what stage are most complaints resolved?**     * Most complaints are resolved at stage 1, in 2019/20 **96%** of complaints were resolved at this stage. |  |  |  |
| **4** | **Communication** |  |  |  |
| **4.1** | **Are residents kept informed and updated during the complaints process?**   * Complaints are acknowledged in 3 days * Stage 1 complaints 10 working days * Stage 2 Complaints 25 working days * The complaint procedure requires contact to define the complaint as there may be further issues that were not raised during the initial contact with the complaints team. * A timely response rate and resolution means that in most cases there is no requirement of a continuous and ongoing dialogue. * The letters are also based on a template designed to explain what has been found and what has been done to put things right. The template was designed with the input of the Tenant Quality Scrutiny and Challenge Group, who also periodically mystery shop anonymised letters for plain English letters. * If a response cannot be given with the time scale the service writes advising why the timescale cannot be met, giving a revised response date. | **Yes** |  |  |
| **4.2** | **Are residents informed of the landlord’s position and given a chance to respond and challenge any area of dispute before the final decision?**   * The initial complaint is clarified with the customer by the investigating officer to ensure the crux of the complaint is understood and the response is correctly targeted. * The complaint is discussed with the complainant and it is at this stage the basis of the response is discussed with the complainant. * There is no specific guidance in the procedure that the investigating officer should give the complainant to dispute the final decision. * The standard ending to a stage 1 complaint encourages the complainant to contact the investigating officer should they wish. Where a decision is disputed the service can and does respond with a follow up to the Stage 1 response, this response again includes the standard escalation paragraph explaining the complaint can be escalated to stage 2. * At stage 2 of the complaints procedure the response will normally be discussed with the customer. * Again the Stage 2 response letter encourages the complainant to contact the Corporate complaints team and clarification can be given. | **Amber** |  |  |
| **4.3** | **Are all complaints acknowledged and logged within five days?**  The service standard is 3 days | **Yes** |  |  |
| **4.4** | **Are residents advised of how to escalate at the end of each stage?**  At each stage the complainant is advised. Below is the standard ending to a stage 1 complaint  *Please feel free to contact us if you have further queries regarding this matter. However, if you are not satisfied with the outcome to your complaint you can ask for your case to proceed to the next stage by writing to:*  *In writing: The Complaints Manager*  *Rotherham Metropolitan Borough Council*  *(FREEPOST RTCT-XKLS-ZHAZ)*  *Riverside House*  *Main Street*  *Rotherham*  *S60 1AE*  *Email:* [*complaints@rotherham.gov.uk*](mailto:complaints@rotherham.gov.uk)  *Tel: (01709) 382 121* | **Yes** |  |  |
| **4.5** | **What proportion of complaints are resolved at stage one?**  **96%** | **Yes** |  |  |
| **4.6** | **What proportion of complaints are resolved at stage two?**  **74%** | **Yes** |  |  |
| **4.7** | **What proportion of complaint responses are sent within Code timescales?**     * Stage one  **93%**   Stage one (with extension)   * Stage two **59%**   Stage two (with extension)  Please note the RMBC response times for stage 2 complaints is 25 days, this is a corporate target for all services of the Council.  In view of the complaints procedure is a corporate procedure, and in line with the Ombudsman’s webinar guidance on the code the Council intends to retain the 25 working day standard for stage 2 complaints.   * Timeliness of response is a corporate Key performance indicator * The corporate complaints team monitor timeliness and chase complaints nearing the deadline * The DMT receive a weekly list of complaints awaiting closure, officers are aware the meeting of deadlines is being monitored at the highest level * The investigating service will advise a complainant if a complaint deadline cannot be met and give the reason * A complaint is considered out of time regardless of whether a valid extension is given or not. So for instance if the complainant or witness is unavailable within 10 working days, even if the complainant has had a letter explaining the investigation will be delayed, it is still classed as out of time when it is sent. * This means extensions are not reported although they are noted in a column on the database and could be collated. | **Yes** |  |  |
| **4.8** | **Where timescales have been extended did we have good reason?**   * The usual reasons for an extension are:   + a vital witness is unavailable   + The complainant is unavailable * Covid19 has had an impact from March 2020 | **Yes** |  |  |
| **4.9** | **Where timescales have been extended did we keep the resident informed?**   * The practice is to issue holding letters explaining why a response may be delayed. Where reasonable a revised time is given. Responses issued within the revised timescale are still classed as out of time. | **Yes** |  |  |
| **4.10** | **What proportion of complaints do we resolve to residents’ satisfaction.**  New Survey to be set up in 2022-23. New questions to be used and this information will be reported in 2022-23. | **Amber** |  |  |
| **5** | **Cooperation with Housing Ombudsman Service** |  |  |  |
| **5.1** | **Were all requests for evidence responded to within 15 days**?  On most occasions requests for evidence have been supplied within 15 days, requests for extensions were submitted in those few cases which required a particularly large amount of information. | **Amber** |  |  |
| **5.2** | **Where the timescale was extended did we keep the Ombudsman informed?** | **Yes** |  |  |
| **6** | **Fairness in complaint handling** |  |  |  |
| **6.1** | **Are residents able to complain via a representative throughout?**   * Complaints are accepted where authorisation is received. * They are particularly encouraged where an individual may be vulnerable | **Yes** |  |  |
| **6.2** | **If advice was given, was this accurate and easy to understand?**   * The service has developed standard template letters to ensure responses address the issue, explain what went wrong and what has or is being done to put it right. * The complaints letters are designed with the input of the tenant Quality Scrutiny & Challenge Group, who also periodically spot check anonymised responses for plain English. * The draft survey asks about satisfaction with the information given. | **Yes** |  |  |
| **6.3** | **How many cases did we refuse to escalate?**   * The council currently does not record refusal to escalate complaints beyond stage 1. These decisions are always made in writing and kept on the complainants case file. In each case the complainant is advised how they can escalate their complaint to the Housing Ombudsman or LG&SCO   **What was the reason for the refusal?**   * Refusal to escalate is based on the service being unable to give the complainant the outcome they desire, the most common reason being the correct application of policy/law which means a stage 2 investigation would not be able to overturn the outcome of the stage 1 investigation. | **Amber** |  |  |
| **6.4** | **Did we explain our decision to the resident?**   * An explanation is always given in writing when the service refuses to escalate along with information on how they could escalate to the Housing Ombudsman or LG&SCO | **Yes** |  |  |
| **7** | **Outcomes and remedies** |  |  |  |
| **7.1** | **Where something has gone wrong are we taking appropriate steps to put things right?**   * The principal of putting things right and learning from complaints is at the centre of the approach to complaints handling. * Monthly SMT exception reports are submitted highlighting individual upheld complaints and potential improvements. * Trends are identified to target service improvements. * The Business Improvement Manager has currently dedicated a resource to analysing and driving identified improvements from complaints. * The corporate; Tell Us Your Views: A Guide for Officers, gives guidance on remedies * There is separate guidance on remedies for investigating officers although it was last updated in 2006. | **Yes** |  |  |
| **8** | **Continuous learning and improvement** |  |  |  |
| **8.1** | **What improvements have we made as a result of learning from complaints?**   * Improvements are reported to the SMT and examples within the Annual Report. These are logged and examples can be provided. * The Business Improvement Manager dedicates a resource to analysing and driving identified improvements from complaints. * This will help drive the embedding of learning from improvements and drive service improvements. * Examples can be provided, the response to damp is one area where improvements have been made:   + All reports of damp are automatically inspected by a Technical Officer   + Technical officers have been retrained to give advice on condensation related damp and how to reduce it.   + Damp meters to asses rising and penetrating damp   + Hydrometers to assess humidity   + In addition to a Rising and penetrating damp contractor the service has engaged a damp/condensation specialist to assess severe cases of damp and provide innovative solutions used to combat damp and mould.   + External cladding programmes have been used to improve the thermal efficiency of non-traditional built houses.   + Reroofing programmes have in part been guided by complaint trends. | **Amber** |  |  |
| **8.2** | **How do we share these lessons with:**     1. **residents?**  * Tenants have been directly engaged in mystery shopping and this has brought about improvements that have been identified by their scrutiny e.g. the standard of void properties * Individual upheld complaints advise what has been done or is being done to put things right and where lessons have or will be applied. * Attendance at the Tenant Quality Scrutiny and Challenge Group * Tenant scrutiny has also reported on subject specific issues such Anti-Social Behaviour. * The Complaints Team are scheduled to attend the Tenant Involvement Panel on a monthly basis starting in January 2021 | **Amber** |  |  |
| 8.3 | 1. **the board/governing body?**  * Reports are made to SMT/DMT and the Annual report is submitted to the Council  1. In the Annual Report?  * Examples are provided in the annual report, it is presented to the Council and Scrutinised by the Overview, Scrutiny and Management Board. | Amber |  |  |
| **8.4** | **Has the Code made a difference to how we respond to complaints?**   * The code is helpful in that it provides a timely reminder to review the service and especially to improve the engagement of tenants in complaints * It will inform refresher training and anything that helps drive service improvement will make a difference |  |  |  |
| **8.5** | **What changes have we made?**  Any changes made will be recorded and reported. |  |  |  |