

# Housing Ombudsman Complaint Handling Code

## Winchester City Council self-assessment

### Compliance with the Complaint Handling Code

Updated December 2020


Compliance with the Complaint Handling Code forms part of the statutory membership obligations set out in the Housing Ombudsman Scheme. Landlords must comply with the requirements of the Code or offer an explanation to the Ombudsman as to why they do not. A self-assessment has been undertaken against the Complaint Handling Code which the Housing Ombudsman published in July 2020. Currently the Council is not meeting all of the requirements of the Code; therefore the new procedure and policy along with a number of actions are required to be implemented in the business plan to meet the compliance of the complaints handling code for 2021/2022.

1.	Definition of a complaint	Yes	No	Improvements to meet the code
	Does the complaints process use the following definition of a complaint?  <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>	<b>Yes</b>		
	Does the policy have exclusions where a complaint will not be considered?		<b>No</b>	To add exclusions to the current complaints policy. <ul style="list-style-type: none"><li>• The issue is, or has been, subject to legal proceedings</li><li>• Liability issue that is subject to an insurance claim (although any other elements of the complaint should still be considered through the complaints procedure). More</li></ul>

				<p>information can be found on our website</p> <ul style="list-style-type: none"> <li>• The complaint has not been raised within a reasonable time frame</li> <li>• The complaint has been considered already</li> <li>• The complaint is being pursued in an unreasonable manner</li> </ul>
	<p>Are these exclusions reasonable and fair to residents?</p> <p>Evidence relied upon</p>			<p>Yes as outlined in the website link: <a href="#">Unreasonably, Persistent, Complainants</a></p> <p>To consider introducing a housing specific policy.</p>
2.	Accessibility			
	<p>Are multiple accessibility routes available for residents to make a complaint?</p>	Yes		<p>All complaints can be submitted to the council by the following methods:</p> <ul style="list-style-type: none"> <li>• On line complaint form</li> <li>• In person at customer services reception</li> <li>• In writing/email direct to an officer/senior manager</li> <li>• In writing/email to the Chief Executive group</li> <li>• In writing/email to an Elected Member</li> <li>• Via Social Media – Facebook, Twitter</li> <li>• Via the Council’s Tenant Participation Group - Tenants And Council Together (TACT)</li> </ul> <p>Action - Policy to be updated on how responses made via social media will be processed to include timelines.</p> <p>Improve and provide an easy access route to the “how to complain” page on the website.</p>
	Is the complaints policy and procedure		No	Action - Complaints policy and procedure to be published on the

	available online?			website and added to the electronic/hard copy Tenants Handbook.
	<p>Do we have a reasonable adjustments policy?</p> <p>The Code seeks to support this by setting out the requirement to have a Reasonable Adjustment Policy, explaining how the landlord will approach compliance in relation to this element of the Equality Act. Such policies are commonly used across the sector.</p>	Yes		<ul style="list-style-type: none"> <li>• <a href="#">Tenant Involvement and Empowerment Standards.</a></li> <li>• <a href="#">Data Protection</a></li> <li>• <a href="#">Equality Act 2010.</a></li> <li>• <a href="#">Housing Ombudsman Service scheme</a></li> </ul>
	Do we regularly advise residents about our complaints process?		No	<p>Action - Improve how we inform our residents about our complaints process.</p> <p>To be undertaken via:</p> <ul style="list-style-type: none"> <li>• Website</li> <li>• My Winchester Tenancy online portal</li> <li>• TACT</li> <li>• Tenants complaints Panel</li> <li>• Tenants e-newsletters</li> <li>• Sheltered newsletter</li> <li>• Shared on Resident Engagement Facebook page</li> <li>• Members &amp; Senior Management</li> </ul>
3.	<b>Complaints team and process</b>			
	Is there a complaint officer or equivalent in post?	Yes		
	Does the complaint officer have autonomy to resolve complaints?		No	Corporate complaints policy requires service manager and leads to resolve complaints at the first stage. To consider introducing a separate process to deal with housing complaints.
	Does the complaint officer have authority to		No	

	compel engagement from other departments to resolve disputes?			
	If there is a third stage to the complaints procedure are residents involved in the decision making?		No	
	Is any third stage optional for residents?		No	Action - Introduce a 'get it right first time' (service request) If not resolved or the resident remains dissatisfied or makes it clear that they wish to complain, then the matter should be logged as a 1 <sup>st</sup> stage complaint.
	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?			1 <sup>st</sup> Stage
4.	<b>Communication</b>			
	Are residents kept informed and updated during the complaints process?	Yes		Action for improvement - need for a more robust complaint handling training for staff.
	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		
	Are residents advised of how to escalate at the end of each stage?	Yes		Action for improvement - need to adopt a more consistent letter templates and training needed for staff.

				<p>Add Ombudsman leaflet to the website.</p>  <p>Leaflet-for-residents-about-the-Housing</p>
	What proportion of complaints are resolved at stage one?	%		2019/20 out of the 170 complaints received by housing, 164 were resolved at stage one (96%)
	What proportion of complaints are resolved at stage two?	%		2019/20 out of the 170 complaints received by housing, 6 complaints were referred to stage 2 (4%)
	<p>What proportion of complaint responses are sent within Code timescales?</p> <ul style="list-style-type: none"> <li>• Stage one Stage one (with extension)</li> <li>• Stage two Stage two (with extension)</li> </ul>	%		Action - Information not held, look at recording this information on the complaints system.
	Where timescales have been extended did we have good reason?	Yes		
	Where timescales have been extended did we keep the resident informed?	Yes		
	What proportion of complaints do we resolve to residents' satisfaction			STAR Survey 2019 – 64% felt making an online complaint was easy
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?	Yes		

6.	<b>Fairness in complaint handling</b>			
	Are residents able to complain via a representative throughout?	Yes		Action – add to policy  To make clear to tenants via complaint acknowledgment that:  If they require assistance to take forward their complaint, they can appoint a representative to deal with their complaint on their behalf (written consent will be needed)
	If advice was given, was this accurate and easy to understand?	Yes		Action – sample letters to go to the readers panel for readability
	How many cases did we refuse to escalate?  What was the reason for the refusal?			None N/A
	Did we explain our decision to the resident?			N/A
7.	<b>Outcomes and remedies</b>			
	Where something has gone wrong are we taking appropriate steps to put things right?	Yes		- <i>Former Tenant, now owner occupier, raised complaint regarding the incorrect issuing of a refund. Once this issue was identified, the procedure was amended to highlight the issue to ensure that it doesn't happen again.</i>
8.	<b>Continuous learning and improvement</b>			
	What improvements have we made as a result of learning from complaints?	Yes		Tenants recommended as part of a communications scrutiny group exercise that a dedicated, email address is introduced solely for complaints with a dedicated telephone number.  The recommendation is under consideration as part of the

				review of wider Council complaints policy.
	<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>We will aim to report on our performance and lessons learnt in the following ways:</p> <ul style="list-style-type: none"> <li>• Annual report</li> <li>• My Winchester Tenancy on line portal</li> <li>• Performance page on complaints on the website</li> <li>• Reports to members /DMT/Complaints panel/TACT</li> </ul>
	<p>Has the Code made a difference to how we respond to complaints?</p>			<p>The code has provided a really useful tool allowing the Council to carry out a self-assessment of its complaints process. To establish a working group with tenants and a continuous improvement action plan with improvement measures embedded in housing service plans for 2020/21.</p> <ul style="list-style-type: none"> <li>• Training for staff</li> <li>• Consistent approach when responding to complaints</li> <li>• Complaints policy and procedure</li> <li>• Web page updated</li> <li>• Transparent with our performance</li> <li>• Residents panel</li> </ul>
9.	What changes have we made?			