

<b>Report Version No:</b>	<b>1.</b>
<b>REPORT SIGNED OFF BY Shari Hallett</b>	<b>Date: 07/01/2021</b>
1) Service Manager – Shari Hallett	YES – 07/11/2021
2) Legal	NOT REQUIRED-UPDATE ONLY
3) Finance - Kerry Prisco	NO- No financial implications
4) Governance Team	NOT REQUIRED-UPDATE ONLY
5) SMT	NO - Housing SMT 22/12/2020
6) Informal Executive	NOT REQUIRED-UPDATE ONLY
7) Governance Team	NOT REQUIRED-UPDATE ONLY

## Somerset West and Taunton Council

### Tenant's Strategic Group Meeting – 25<sup>th</sup> January 2021

**Self –assessment against the Housing Ombudsman Code –\*Please note for information purposes only\***

**Report Author: Sharon Yarde, Housing Customer Experience Lead**

#### **Background**

The Housing White Paper was published at the end of last year and one of the measures identified was that landlords need to ensure that tenants have their complaints dealt with promptly and fairly.

In relation to this and to help ensure that landlords do deliver on this complaint measure, The Housing Ombudsman have issued a code that landlords should adhere to. As part of this The Housing Ombudsman asked all landlords to self-assess against their code by 31<sup>st</sup> December 2020 with a view to ensuring that they are compliant by 31<sup>st</sup> March 2021. The Housing Ombudsman do have the power to issue a non-compliance order.

## Our Assessment

# Housing Ombudsman Complaint Handling Code: Self-assessment form

Shaded pink = requires more than Y/N

All comments and end of document

Compliance with the Complaint Handling Code			
1	Definition of a complaint	Yes	No
1. 1	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. –see comments 1.1</i>	Yes	
1. 2	Does the policy have exclusions where a complaint will not be considered?- <i>see comments 1.2</i>	Yes	
1. 3	Are these exclusions reasonable and fair to residents?  Evidence relied upon- <i>used best practice amongst the sector 1.3</i>	Yes	
<b>2</b>	<b>Accessibility</b>		
2. 1	Are multiple accessibility routes available for residents to make a complaint?- <i>see comments 2.1</i>	Yes	
2. 2	Is the complaints policy and procedure available online? <i>See comments 2.2</i>	Y & N	
2. 3	Do we have a reasonable adjustments policy? <i>See comments 2.3</i>	Y	
2. 4	Do we regularly advise residents about our complaints process? <i>See comments 2.4</i>	N	
<b>3</b>	<b>Complaints team and process</b>		
	Is there a complaint officer or equivalent in post? <i>Customer Experience Manager and HP team</i>	Y	
	Does the complaint officer have autonomy to resolve complaints?	Y	
	Does the complaint officer have authority to compel engagement from other departments to resolve disputes?	Y	
	If there is a third stage to the complaints procedure are residents involved in the decision making?- <i>This is not mandatory</i>		N
	Is any third stage optional for residents? <i>This is not mandatory</i>		N
	Does the final stage response set out residents' right to refer the matter to the Housing Ombudsman Service?	Y	
	Do we keep a record of complaint correspondence including correspondence from the resident?	Y	
	At what stage are most complaints resolved?	Stage 1	
<b>4</b>	<b>Communication</b>		
4	Are residents kept informed and updated during the complaints process?	Y	

4.1	Are residents informed of the landlord's position and given a chance to respond and challenge any area of dispute before the final decision? <b>See comments 4.1</b>	<b>N</b>	
4.2	Are all complaints acknowledged and logged within five days? <b>Currently our standard is 3 moving to 2 in new policy</b>	<b>Y</b>	
4.3	Are residents advised of how to escalate at the end of each stage?	<b>Y</b>	
4.4	What proportion of complaints are resolved at stage one?	<b>97%</b>	
4.5	What proportion of complaints are resolved at stage two? <b>-Only have stage 1 at present, stage 2 will be ready in February 2021</b>	<b>N/A</b>	
4.6	What proportion of complaint responses are sent within Code timescales? In the last year, 315 complaints, <b>115 dealt within standard, 200 out of standard</b> <ul style="list-style-type: none"> <li>• Stage one Stage one (with extension)</li> <li>• Stage two-<b>N/A</b> Stage two (with extension)</li> </ul>	<b>37%</b>	
4.7	Where timescales have been extended did we have good reason?	<b>Y</b>	
4.8	Where timescales have been extended did we keep the resident informed?	<b>Y</b>	
4.9	What proportion of complaints do we resolve to residents' satisfaction- <b>In the last year, 315 Housing complaints, 9 went to an ombudsman</b>	<b>97%</b>	
<b>5</b>	<b>Cooperation with Housing Ombudsman Service</b>		
	Were all requests for evidence responded to within 15 days? <b>Only 5 requests, all but 1 responded to within 15 days</b>	<b>N-80%</b>	
	Where the timescale was extended did we keep the Ombudsman informed?	<b>Y</b>	
<b>6</b>	<b>Fairness in complaint handling</b>		
	Are residents able to complain via a representative throughout?	<b>Y</b>	
	If advice was given, was this accurate and easy to understand?	<b>Y</b>	
	How many cases did we refuse to escalate? <b>Currently no escalation route, closed at stage 1. Stage 2 will be implemented February 2021</b>  What was the reason for the refusal? <b>-No further escalation route within organisation</b>	<b>N/A</b>	
	Did we explain our decision to the resident?	<b>Y</b>	
<b>7</b>	<b>Outcomes and remedies</b>		
	Where something has gone wrong are we taking appropriate steps to put things right?	<b>Y</b>	
<b>8</b>	<b>Continuous learning and improvement</b>		
	What improvements have we made as a result of learning from complaints? <b>Not documented at present-will be in February 2021</b>	<b>N</b>	

8.1	How do we share these lessons with:  a) residents?- <b>Newsletter</b>  b) the board/governing body? <b>TSG meetings</b>  c) In the Annual Report? – <b>To be included in the next A/R</b>  <b>See comments 8.1</b>	Y	
8.2	Has the Code made a difference to how we respond to complaints?– <b>New complaints policy and procedure to launch Feb 2021</b>	Y	
8.3	What changes have we made? <b>See comments 8.3</b>	Y	

## COMMENTS:

### 1.1

#### Definition of a complaint:

We are not just a social housing landlord and therefore our complaint definition does not specifically mention residents.

Extract from our new Complaint policy:

*We define a complaint as 'an expression of dissatisfaction with our service (whether justified or not) which requires a response'.*

*A complaint could be in relation to any of the following examples:*

- *we have made a mistake in the way we have provided a service*
- *there has been a delay in providing a service*
- *we have failed to deliver a service – this could relate to quality, standard or service level*
- *our processes or policy have not been followed*
- *our legal or regulatory requirements have not been met*
- *we have not delivered to a commitment or promise*
- *our staff have been rude and unhelpful or not conducted themselves correctly*

### 1.2

Extract from the new complaint procedure:

*What is not a complaint?*

*An initial service request will not be classed as a complaint. We encourage all our staff to work with customers and to try to find a resolution to any expressions of dissatisfaction without the need to use the formal complaints process.*

*In many cases we can resolve an issue very quickly – by putting the problem right straight away. We consider these types of cases as initial service requests. For example, where a refuse team has not picked up a customer's bin, but once the team is made aware of this the bin is picked up within the set SLA.*

*However, when a customer is unhappy about the way that a service request was handled, this should be dealt with under the council's complaints procedure.*

*Details of who to signpost complaints to if it doesn't relate to a Council*

## **2.0**

Extract from the new complaint procedure  
*How to make a complaint*

*Customers can make a complaint by visiting the Council website  
[www.somersetwestandtaunton.gov.uk](http://www.somersetwestandtaunton.gov.uk) and completing the online form.*

*If you are unable to access the form please telephone our customer services team on  
0300 304 8000*

*A complaint can also be made by:*

- a representative acting on behalf of someone who is unable to make the complaint themselves because of physical or mental incapacity*
- a representative where they have been asked to act on behalf of a customer*
- a representative acting on behalf of someone who has died*

## **2.2**

*Procedure is currently online, our current policy is not online but new version will be in February 2021.*

## **2.3**

Not a separate policy, a reasonable adjustment statement will be added to the website. The equalities Act 2010 does not state that a policy is required. Waiting confirmation from the Housing Ombudsman as to whether a separate policy is actually required.

## **2.4**

*This will be added to the Housing Newsletter each quarter*

## **4.1**

Currently only have a stage 1 policy, therefore no route for response and challenge. In our new policy there will be a stage 2, this will give residents the opportunity to respond and challenge before a "final decision" letter is issued in stage 2. Stage 1 will be closed with a "decision" letter and an option to refer to stage 2 to respond and challenge before the "final decision" letter is sent.

## **8.1**

When the new policy and procedure is introduced in February 2021, Jess McVie will no longer be dealing with stage 1 complaints (other than allocating them) this will free her up to work on the learning from complaints.

The H/P team need to add another column to the complaints spreadsheet to document learning.

Learning will be included in the Housing Newsletter

Extract from the new policy:

*We are committed to learning from complaints and using complaints information to drive service improvements.*

*We will keep records on each complaint received including:*

- type of complaint*
- complaint outcome*
- timescales agreed*
- whether timescales were met*

*Our complaints page on our website we will give details of any changes that have been made as a result of complaints – You said, we did.*

*We will also publish our annual report from the Local Government Ombudsman on our website.*

*We will report on complaints and lessons learnt on a quarterly basis to Council's Senior Leadership Team. We will also report annually to the Executive on the numbers and types of complaints received, together with information on the complaint outcomes.*

### **8.3**

As an organisation we have realised that our complaints handling is not where it should be. Therefore, a new policy and procedure has been designed and will be implemented in February 2021, the main feature of this will be a stage 2 procedure. Complaints being prioritised within the Housing Directorate and since October 2020 the Housing Performance Team have acted as "gatekeepers" for complaints. In September 2020 only 7 out of 30 complaints were dealt with in standard. -23% In October 9 out of 19 complaints were dealt with within standard- 47% In November 2020, 16 out of 28 complaints were dealt with within standard.-57%. All outstanding complaints were cleared by 24<sup>th</sup> December 2020. In December 2020, we received 22 housing complaints. So far 85% were dealt with within standard. The remaining 7 are still outstanding but are still in standard.

This shows that we have already made huge steps to improve our complaint handling process.

### **SUMMARY**

This document is for self-assessment purposes only. It is a tool so that we can gauge our compliance with the code. All changes identified in this assessment must be in place by 31<sup>st</sup> March 2021.

- Currently, we do not comply with the code for the following reasons:
- We only have a stage 1 complaints procedure
- Our complaints policy is not on line
- We do not regularly advise our residents about our complaints process
- Our residents are not informed of the landlord's position and given a chance to respond and challenge any area of dispute before the final decision.
- We do not do enough continued learning and improvement

To address this we are doing the following:

- Launching a new organisation wide complaints policy and procedure. This will be launched in February 2021 (in plenty of time for 31<sup>st</sup> March deadline). It will include a 2 stage approach.
- The complaints policy will be put online.
- We will include complaints information / process in the Housing Newsletter
- Stage 2 will give our residents the opportunity to respond and challenge before a "final decision" letter is sent.
- In the new process, the Customer Experience Manager will be freed up to do continued learning and improvement. The Housing Performance Team will document lessons learnt and action taken on their complaints spreadsheet.

### **Current update**

The new Complaint Procedure is currently waiting to be signed off by the Senior Management team. The new policy and procedure is due to go live in February providing sign off is agreed and testing of the new process has been satisfied.

Currently waiting for clarification from the Housing Ombudsman as to whether a separate Housing complaint procedure is required and whether we need to write a reasonable adjustment policy or a reasonable adjustment statement will be enough.

### **Recommendations**

To keep Tenant Strategic Group members up to date with progress at the next meeting in March 2021.

### **Going Forward**

Open for questions from the group during the meeting on 25<sup>th</sup> January 2021

### **Democratic Path:**

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Cabinet/Executive – No**
- **Full Council – No**

Reporting Frequency:  Once only       Ad-hoc       Quarterly  
 Twice-yearly       Annually

### **Contact Officers**

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