Self-Assessment Form

This self-assessment form should be completed by the complaints officer and discussed at the landlord’s governing body annually. Evidence should be included to support all statements with additional commentary as necessary.

Explanations must also be provided where a mandatory ‘must’ requirement is not met to set out the rationale for the alternative approach adopted and why this delivers a better outcome.

Section 1 - Definition of a complaint Mandatory ‘must’ requirements

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary, and any explanations** |
| **1.2** | A complaint must be defined 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*. | Yes | Included in 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 | Included in Policy |
| **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 | Policy amended November 2023 to include this specific clause |
| **1.7** | A landlord must accept a complaint unless there is a valid reason not to do so. | Yes | Included in Policy |

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| **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 | Strengthened in revised policy, November 2023 |
| **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 | Included in Policy |

Best practice ‘should’ requirements

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **1.4** | Landlords should recognise the difference between a | Yes | The revised policy, November 2023, makes a distinction between service requests and complaints |
| **service request**, where a resident may be unhappy |
| with a **situation** that they wish to have rectified, and a |
| **complaint** about the **service** they have/have not |
| received. |
| **1.5** | Survey feedback may not necessarily need to be | Yes | In most cases if we receive a negative response to a transactional survey, we will contact the respondent and give them the opportunity to explain the problem, and then suggest resolution.  We are formalising this as part of our Inspired by Our Communities project. |
| treated as a complaint, though, where possible, the |
| person completing the survey should be made aware of |
| how they can pursue their dissatisfaction as a complaint |
| if they wish to. |

Section 2 - Accessibility and awareness Mandatory ‘must’ requirements

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| --- | --- | --- | --- |
| **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 | Included in policy |
| **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 | Included in policy |
| **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 | Information on the website is easy to access and includes the policy, and the means to make a complaint. |
| **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 | Equality Act and commitment to reasonable adjustments included in the policy.  Policy strengthened in November 2023 to include specific examples of reasonable adjustments that we can offer.  Southway has a Single Equalities Scheme that staff adhere to. |
| **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 | Southway does reference this where appropriate. An article on complaints was included in the Autumn 2023 edition of Southway Stories. We have also reviewed letterheads to include Ombudsman details. |

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| **2.7** | Landlords must provide residents with contact  information for the Ombudsman as part of its regular correspondence with residents. | Yes | Included in policy |
| **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 | Included in policy |

Best practice ‘should’ requirements

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply:**  **Yes/No** | **Evidence, commentary and any explanations** |
| **2.2** | Where a landlord has set up channels to communicate | Yes | Included in Policy |
| 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. |

Section 3 - Complaint handling personnel Mandatory ‘must’ requirements

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| **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 | Southway has a designated Complaints Officer, within the Customer Hub, a manager who oversees the complaints improvements and that officer with support provided by other members of the team as required. |
| **3.2** | …the complaint handler appointed must have appropriate complaint handling skills and no conflicts of  interest. | Yes | All staff responsible for Complaints handling underwent training in 2023 and complaints handling is now included in staff induction. Revised policy, November 2023, has explicit reference to conflicts of interest. |

Best practice ‘should’ requirements

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply: Yes/No** | **Evidence, commentary and any explanations** |
| **3.3** | Complaint handlers should: | Yes | Internal training covers first two bullet points. Regular departmental complaints meetings allow for quick resolution of complaints where appropriate.  Policy encourages staff to resolve complaints quickly |
| * 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. |

Section 4 - Complaint handling principles Mandatory ‘must’ requirements

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| **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 | Southway does not have a pre-complaint stage. The difference between service requests and complaints has been made clearer in the revised November 2023 policy.  We are currently adhering to the timescales in the Complaint Handling Code and our own policy. |

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| **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 | Following training in February/March 2023 there is now a set letter template and guidance that directs officers through the steps required when handling a complaint. |
| **4.6** | A complaint investigation must be conducted in an impartial manner. | Yes | Having a Complaints Officer that is not involved in service delivery assists with impartiality. They are supported by the Head of Corporate Services when dealing with the Ombudsman.  Policy commitment that investigating officer will usually have not been involved with the case |
| **4.7** | The complaint handler must:   * 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 | Included in Policy |
| **4.11** | Landlords must adhere to any reasonable  arrangements agreed with residents in terms of frequency and method of communication | Yes | Included in policy |
| **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:   * set out their position * comment on any adverse findings before a final decision is made. | Yes | Included in Policy |
| **4.13** | A landlord must include in its complaints policy its  timescales for a resident to request escalation of a complaint | Yes | Included in policy |
| **4.14** | A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints 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 | Commitment in revised policy to review all complaints at Stage 2 in revised November 23 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 | Each complaint has a file, which contains all relevant information pertaining to that complaint. The Complaints Officer will use records held on other systems when responding to complaints. |
| **4.18** | Landlords must have policies and procedures in place for managing unacceptable behaviour from residents  and/or their representatives when pursuing a complaint. | Yes | Unreasonable complaints section of policy strengthened, November 2023 |

Best practice ‘should’ requirements

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| **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 | Yes | Officers do try and do this and there is a commitment in the policy to working together to find a resolution. |
| **4.4** | A complaint should be resolved at the earliest possible | Yes | This is included in the Complaints policy, |
| 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. |
| **4.5** | Landlords should give residents the opportunity to have | Yes | Included in policy |
| 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. |
| **4.8** | Where a key issue of a complaint relates to the parties’ | Yes | There are separate policies and procedures that deal with legal issues outside of the Complaints Policy |
| legal obligations landlords should clearly set out their |
| understanding of the obligations of both parties. |

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| **4.9** | Communication with the resident should not generally identify individual members of staff or contractors. | Yes | Staff members are only identified if they have been explicitly referenced in the complaint |
| **4.10** | Landlords should keep residents regularly updated about the progress of the investigation. | Yes | This was emphasised during the training in February and March and now forms part of the guidance that is available for staff. |
| **4.16** | Landlords should seek feedback from residents in | Yes | Surveys are issued following the conclusion of a complaint. We also include lessons learned in each complaint response |
| relation to the landlord’s complaint handling as part of |
| the drive to encourage a positive complaint and |
| learning culture. |
| **4.17** | Landlords should recognise the impact that being | Yes | This is now happening through regular liaison with Heads of Service, and the training that was carried out in February and March 2023 |
| 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 |
| **4.19** | Any restrictions placed on a resident’s contact due to | Yes | This would be in line with the Violence against Staff policy. |
| unacceptable behaviour should be appropriate to their |
| needs and should demonstrate regard for the |
| provisions of the Equality Act 2010. |

Section 5 - Complaint stages Mandatory ‘must’ requirements Stage 1

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply:**  **Yes/No** | **Evidence, commentary and any explanations** |
| **5.1** | Landlords must respond to the complaint **within 10 working days** 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. | No | Current performance is over 90%. This is a significant improvement, but we still aspire to achieve 100% to achieve compliance with this section of the Code. |
| **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 | Made more explicit in November 23 version of policy and we have introduced a complaint complete stage so that we can track actions promised as part of resolution. |

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| **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 | Included in revised November 23 policy. This was addressed through the Complaints Training. We have introduced guidance and templates to assist officers and are monitoring complaint responses so that we can work with officers who need help and support. |
| **5.8** | Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language:   * 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 was addressed through the Complaints Training. We have introduced guidance and templates to assist officers and are monitoring complaint responses so that we can work with officers who need help and support. |

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 | Yes | Strengthened in revised policy November 23. |
| 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. |
| **5.10** | On receipt of the escalation request, landlords must set out their | Yes |  |
| 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. |
| **5.11** | Landlords must only escalate a complaint to stage two once it | Yes | Included in policy |
| has completed stage one and at the request of the resident. |

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| **5.12** | The person considering the complaint at stage two, must not be | Yes | Included in policy |
| the same person that considered the complaint at stage one. |
| **5.13** | Landlords must respond to the stage two complaint **within 20** | Yes | Current performance is 100% |
| **working days** 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. |
| **5.16** | Landlords must confirm the following in writing to the resident at | Yes | This was addressed through the Complaints Training. We have introduced guidance and templates to assist officers and are monitoring complaint responses so that we can work with officers who need help and support. |
| the completion of stage two in clear, plain language: |
| * 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 |
| **and** |
| * if the landlord has a third stage, details of how to escalate |
| the matter to stage three |
| * if this was the final stage, details of how to escalate the |
| matter to the Housing Ombudsman Service if the resident |
| remains dissatisfied. |

Stage 3

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| --- | --- | --- | --- |
| **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. | N/A | Southway has a two stage policy.  Clarification about the role of the Complaints Service Improvement Group included in revised November 23 policy |

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| **5.20** | Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language:   * 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 | Southway has a two stage policy. |

Best practice ‘should’ requirements Stage 1

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| --- | --- | --- | --- |
| **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 | Yes | Included in policy |
| landlord to respond to the complaint fully, this should be agreed |
| by both parties. |
| **5.3** | Where agreement over an extension period cannot be reached, | Yes | This would be exceptional, but we would agree this with the complainant if it arose |
| 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. |
| **5.4** | Where the problem is a recurring issue, the landlord should | Yes | Included in policy |
| consider any older reports as part of the background to the |
| complaint if this will help to resolve the issue for the resident. |
| **5.7** | Where residents raise additional complaints during the | Yes | Included in policy |
| 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. |

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 | Yes | Included in policy |
| landlord to respond to the complaint fully, this should be agreed |
| by both parties. |
| **5.15** | Where agreement over an extension period cannot be reached, | Yes | This would be exceptional, but we would agree this with the complainant if it arose |
| 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 |

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 | N/A | Southway has a two stage policy |
| 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 **within 20 working days** 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. |
| **5.19** | Where agreement over an extension period cannot be reached, | N/A | Southway has a two stage policy |
| 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. |

Section 6 - Putting things right Mandatory ‘must’ requirements

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| --- | --- | --- | --- |
| **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 | This is included in the Policy and the supporting guidance and templates. |
| **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 | This is an area we are currently reviewing during 2023/24 as we are unclear on what the expectations of the Ombudsman are. There have been times when we have offered what we consider to be reasonable redress, but the Ombudsman has subsequently ordered greater amounts to be paid. |
| **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 | This is included in the Policy. The Complaints complete stage allows officers to track that proposed remedies are delivered. |
| **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 | This is covered in the Compensation Policy. |

Best practice ‘should’ requirements

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| --- | --- | --- | --- |
| **Code section** | **Code requirement** | **Comply:**  **Yes/No** | **Evidence, commentary and any explanations** |
| **6.3** | Landlords should look beyond the circumstances of the | Yes | Each complaint contains a lessons learned section. These are then collated so that we can then report these back to tenants |
| individual complaint and consider whether anything needs to be |
| ‘put right’ in terms of process or systems to the benefit of all |
| residents. |
| **6.7** | In some cases, a resident may have a legal entitlement to | Yes | Legal advice is sought where appropriate |
| redress. The landlord should still offer a resolution where |
| possible, obtaining legal advice as to how any offer of resolution |
| should be worded. |

Section 7 - Continuous learning and improvement

**Mandatory ‘must’ requirements**

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| --- | --- | --- | --- |
| **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 | The Annual Customer Care report is approved by Committee in August. There is a Complaints area of the website Complaints performance is included in Southway Stories. |

**Best practice ‘should’ requirements**

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| --- | --- | --- | --- |
| **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 | Yes | This is the Chair of People and Places Committee. |
| 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. |
| **7.4** | As a minimum, governing bodies should receive: | Yes | Complaint performance and trend information is included in each Performance Report to Committee.  Ombudsman’s annual performance report will be circulated to members once it is available.  Southway had one severe maladministration case in 2022/23. We have had one during 2023/24 which is included in the Customer Care report and was reported to Board through the Chief Executives report in September |
| * 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. |

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| **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. | Yes | Trends identified when handling Damp and Mould complaints has helped to shape the taskforce that is dealing with this area of work. |
| **7.6** | Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:   * have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments. * 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. | Yes | Southway has a Corporate Plan action to promote a One Team approach. We have reviewed our Customer Care principles for approval by the Committee in November. This covers how we respond to customers and deal with complaints and expressions of dissatisfaction. |

Section 8 - Self-assessment and compliance Mandatory ‘must’ requirements

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| **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 |  |
| **8.2** | Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures. | N/A |  |
| **8.3** | Following each self-assessment, a landlord must:   * 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 | This was to the August People and Places Committee and summarised for September Board.  The outcome was published on Southway’s website in September. |