

Elm Housing, Self-Assessment Form, April 2023

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

Code section	Code requirement	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	Quoted verbatim in Complaints Policy & Procedure
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 scope of Complaints Policy and Procedure.
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	Complaints Procedure: <i>The colleague you speak to will try and resolve your complaint immediately. In some cases, an immediate resolution may not be possible and further investigation may be required. You will receive an acknowledgment of your complaint within 5-working days of making the complaint. If it has been resolved during this period, this acknowledgment will detail the resolution.</i>

1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	Complaints procedure: <i>We define 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. On receiving any communication like this, a colleague will clarify that this is being treated as a complaint.</i> Also see below...
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	<i>Complaints Procedure</i> <i>Elim will always try and resolve complaints in accordance with the procedure above, however there are certain circumstances where we may decide not to follow this procedure:</i> <ul style="list-style-type: none"> • <i>Where a complainant is abusive or threatening towards staff when making a complaint.</i> • <i>Where a complainant makes repeated complaints about similar or linked issues where these issues are being or have already been investigated.</i> • <i>Where an unreasonable period of time has elapsed between incidents to which a complaint refers and the complaint being made.</i> • <i>Where legal proceedings relating to the subject of the complaint have been entered into.</i> • <i>Where a complainant is making unreasonable demands of staff time and resources that are out of proportion to the complaint.</i>
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	Complaints procedure: <i>In any case where a decision is taken not to respond to a complaint in accordance with this procedure, the complainant will be notified in writing by a member of the Operational Leadership Team with a full explanation given and they will be advised that they can take the matter to the Ombudsman.</i>

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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1.4	Landlords should recognise the difference between a 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.	Yes	Complaints Procedure: <i>Colleagues will look to distinguish between a complaint, where a customer is unhappy about the standard of service received, and a request for service, where they are requesting delivery of a service to rectify a situation.</i>
1.5	Survey feedback may not necessarily need to be 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.	Yes	Complaint handling is covered in Customer Survey. Qualitative responses to survey are recorded and reviewed by members of OLT and broader Management Team.

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 Procedure: <i>Complaints can be made through any of Elim's communication channels, including social media.</i> Elim is contactable by phone, post, email, and in person (with visits to most residents publicised in advance and many sites with staff on site)..
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.	Partial	Complaints Procedure available online (requires updating, though critical info is the same). No different versions, e.g. large print, but these can be produced as required.

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.	Partial	Maybe could be easier to locate? ACTION: Make Complaints P&P more prominent on 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	Complaints Procedure: <i>Elim will make reasonable adjustments in line with the Equality Act 2010 to ensure that all customers have equality of access to this complaints procedure.</i> Equalities is part of core training for all members of staff.
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.	Partial	Complaint handling addressed in Customer Survey, detailed on website. Not regularised in resident comms. ACTION: Include complaints in regular resident comms.
2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	No	See above
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	Complainants provided with a copy of procedure that references the Ombudsman.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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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	Complaints Procedure: <i>Complaints can be made through any of Elim's communication channels, including social media.</i>
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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	Complaints Officer in place.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	?	In a small organisation, it is hard to find someone that does not have an interest in matters raised by a complaint, however the Complaints Officer is a member of staff with an understanding and oversight of our work but also a level of seniority that provides a critical distance from service delivery.

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	Only appropriately skilled and experienced staff would be chosen for the role of Complaints Officer.

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>Procedure: <i>You will receive an acknowledgment of your complaint within 5-working days of making the complaint. If it has been resolved during this period, this acknowledgment will detail the resolution.</i></p> <p>Complaints procedure is 2 stage per the Ombudsman code.</p> <p>All records of correspondence retained.</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	Detailed in correspondence.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	Evidenced by correspondence, outcomes etc.
4.7	<p>The complaint handler must:</p> <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	Evidenced by correspondence, outcomes etc.

4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	Evidenced in correspondence
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. 	Partial	As part of investigation process. Evidenced in correspondence and investigation info that is retained.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	Procedure: <i>If you are not satisfied with the outcome of your complaint, then you would follow the escalation instructions within 5 working days and proceed to Stage 2.</i>
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	Have not refused escalation at any stage. ACTION: include reasons for not escalating a complaint in new Policy and Procedure.
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	Retained in complaint records.
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	Yes, and staff provided training on dealing with aggressive behaviour.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic	Partial	Evidence in correspondence, however could possible do more on this. ACTION: Include in revised Complaints Policy and Procedure
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.	Partial	More complaints could be resolved before escalation. ACTION: Training to be delivered, Q2 2023-24
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.	Partial	This opportunity is not refused to residents, but we do not proactively offer it outside of our support services.
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.	Yes	Not tested, however this would be our approach.
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	Unless with their permission or already identified by the resident. Evidenced in correspondence.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	Where necessary
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.	Yes	Included in customer survey
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	Covered through existing support channels, e.g. line management support. Will also be addressed in training.
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	Flagging procedure

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	Detailed in procedure: <i>The Complaints Officer will conduct an investigation and will respond to you within 10-working days of the complaint being made</i>
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	Detailed in complaint correspondence
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	Detailed in correspondence
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 	Partial	Detailed in some correspondence. Will take place more consistently in future.

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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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	Detailed in correspondence
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	Detailed in correspondence
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	Detailed in correspondence
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	Escalation always handled by SLT
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	Detailed in complaint records and in Procedure: <i>Once a complaint has been escalated, it will be passed to a member of the Senior Leadership Team (SLT). The escalation will be acknowledged in writing within 2-working days of receipt and a deadline – no more than 20-working days from the date of escalation – provided for a final response.</i>
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 • the details of any remedy offered to put things right 	Yes	Evidenced in correspondence. No third stage of complaints procedure.

	<ul style="list-style-type: none"> • details 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 three • if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied. 		
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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	Procedure details 2 stages.
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 	Yes	Evidenced in correspondence

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	In correspondence

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	Not occurred as yet but will adhere to recommendations of code.
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	Evidenced in correspondence
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	Detailed in new procedure.

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	Evidenced in correspondence.
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	Not required as yet, but will adhere to code if necessary.

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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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.	Yes	No third stage.
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.	Yes	Not required as yet, but will adhere to Code if necessary.

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	Detailed in correspondence
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	Detailed in correspondence
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	Detailed in correspondence
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	Detailed in correspondence

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.	Yes	Eg: responsive repairs procedure
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.	Yes	Legal advice sought where necessary.

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	Report to Board Committee quarterly.

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	Responsibility sits with People and Culture Committee (PAC) rather than a named individual.
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, 	Yes	Detailed in PAC papers

	<ul style="list-style-type: none"> 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. 		
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	PAC papers and minutes
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 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. 	No	Detailed in complaint handling Guidelines for Staff. Also to be included in staff training.

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	Here it is!
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	Not required as yet.
8.3	Following each self-assessment, a landlord must: <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 	Yes	In PAC papers, June 2023. Actions from self-assessment included in Annual Report.

- 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