

COMPLAINT HANDLING CODE – COMPLAINTS POLICY

Report of the Managing Director

1. SUMMARY

- 1.1 The Housing Ombudsman's Complaint Handling Code came into effect from 1 September 2020. Details of the Code was presented to the Derby Homes Board on 26 November. The amended Complaints Policy seeks to ensure compliance with the Code.

2. RECOMMENDATION(S)

- 2.1 To note the Housing Ombudsman's Complaint Handling Code and the changes to the Complaints Policy and the Restricted Contact Policy, previously known as the Vexatious Policy.

3. REASONS FOR RECOMMENDATION

- 3.1 The Ombudsman's Complaint Handling Code promotes the progressive use of complaints, providing a high-level framework to support effective handling and prevention alongside learning and development. The Code ensures complaint handling data is being used consistently across landlord members, promotes engagement at different levels within a landlord and sets out expectations for Boards or equivalent governance, senior executives and frontline staff.

4. MATTERS FOR CONSIDERATION

- 4.1 The purpose of the Ombudsman's Complaint Handling Code is to enable landlords to resolve complaints raised by their residents quickly and to use the learning from complaints to drive service improvements and help to create a positive complaint handling culture amongst staff and residents.
- 4.2 The Code sets out requirements for member landlords that will allow them to respond to complaints effectively and fairly, and acts as a guide for residents, setting out what they can and should expect from their landlord when they complain.

4.3 Key areas in the Complaint Handling Code

- Adopt a universal definition of a complaint
- Providing easy access to the complaints procedure and ensuring residents are aware of it, including their right to access the Housing Ombudsman Service

- The structure of the complaint's procedure - only two stages necessary and clear timeframes set out for responses
- Ensuring fairness in complaint handling with a resident-focused process
- Taking action to put things right and appropriate remedies
- Creating a positive complaint handling culture through continuous learning and improvement
- Demonstrating learning in Annual Reports.
- Self-assess against the Code by 31 December 2020

4.4 **Summary of the amendments made to the existing Complaints policy.**

To adopt the Code's definition of a complaint: A complaint shall 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.

To extend the stage 2 complaint response timescales to 20 days.

To promote access to Housing Ombudsman on all complaint letters, on the website and Derby Homes News.

To consider complaints from leaseholders. Although we previously accepted most type of leaseholder complaints, we did exclude service charge related complaints, which the Ombudsman have now advised us to accept. Although the Ombudsman may be able to offer the landlord and leaseholder advice on these complaints, ultimately most leaseholder queries of this nature, if not resolved, will be directed to the First Tier tribunal.

To implement a Restricted Contact Policy to replace the Vexatious Policy.

To remove the Petitions process and procedure and include these in the Complaints Policy as group complaints.

Compensation and redress payments will be offset against any debt owed and paid onto the tenant / leaseholder rent accounts where possible.

IMPLICATIONS

The areas listed below have no implications directly arising from this report:

Consultation
 Legal and Confidentiality
 Council
 Personnel
 Environmental
 Equalities Impact Assessment
 Health & Safety
 Risk
 Policy Review

For more information please contact:

Annabelle Barwick/ Customer Service and Equalities Manager/ 01332 8884402 / Annabelle.barwick@derbyhomes.org

Background information: Housing Ombudsman's Complaint Handling Code

List of appendices:

1. Housing Ombudsman's Complaint Handling Code
2. Draft Complaints Policy
3. Draft Restricted Contact Policy
4. Current Policy (CMIS only)
5. Current Vexatious Policy (CMIS only)

This report has been approved by the following

Managing Director	Maria Murphy	17/11/2020
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