

Draft Response to Joint Consultation from Derby Homes:

**Question 1 - Are the provisions in the Code sufficient to awareness and improve access to landlords' complaints processes? Yes / No. If no, what additional suggestions do you have?**

**Response:**

Yes, as a Social Housing ALMO we have been working to the principles of the Complaint Handling code since 2020.

**Question 2 - Are the provisions of the Code sufficient to extend fairness through consistent complaint handling? Yes / No. If no, what additional suggestions do you have?**

**Response:**

Yes, generally we feel the provisions of the Complaints Handling Code extend fairness through consistent complaint handling but feel there is not enough clarity on exclusions as 'discretion' is a grey area.

It would be helpful to have guidance on what we exclude from Complaints as exclusions are too open to interpretation and discretion to accept complaints after 12 months is unclear.

The Complaints Handling Code suggests looking at Housing Ombudsman scheme for explanation about exclusions which we cannot locate on the website. It would be preferred to have links to exclusions embedded within the Complaints Handling Code.

We agree that having one definition of what is a complaint provides clarity and fairness.

We believe that the provision of guideline definitions and templates to use will ensure all landlords are working the same will result in consistent complaint handling and reporting.

**Question 3 - Do the provisions of the Code increase landlords' transparency and accountability to their residents? Yes / No. If no, what suggestions do you have?**

**Response:**

Yes, we agree that the introduction of an annual report will improve transparency and the annual Self-assessment statutory requirement will help with an overview for accountability.

We would like to know if there is any guidance for what the joint code would want to see in terms of learning from complaints, including any guidance or evidence of Lessons learned would be useful.

**Question 4 - Do the provisions of the Code help to embed a positive complaint handling culture? Yes / No. If no, what suggestions do you have?**

**Response:**

4.1 of the code states that organisations must have a person or team assigned to take responsibility for complaint handling – the complaints officer.

Whilst we agree a complaint handling team is essential this can lead to other teams believing they don't have to deal with complaints, which can create a silo culture. We can find that having a specific team takes away accountability from other teams.

The code helps to reinforce positive complaint handling, but the code can't change an organisations culture, this needs to come from within. One suggestion would be to have Complaint champions to be responsible for learning and reviewing complaints in their area.

Timescale don't always embed a positive Complaint handling culture, for the landlord or the customer. For example, due to time limitations sometimes there is not enough time for complaints to be fully understood and changes to be made.

**Question 5 - Does the complaint performance and service improvement report provide a sufficient framework for landlords' governing bodies, residents and other stakeholders to have oversight of complaints handling policy, practice and learning? Yes / No. If no, what suggestions do you have?**

**Response:**

Yes, but guidance or a template would be helpful. This way all landlords are reporting the same way and ensure consistency.

**Question 6 - Are our plans to align submissions with Tenant Satisfaction Measure returns an effective approach? Yes / No. If no, what suggestions do you have?**

**Response:**

Yes, this will ensure consistency. The TSM have already been released and we're working towards these as the regulation states.

Within Section 8 – The new code should specifically make reference to the TSM's and the consumer standards which it currently does not.

**Question 7- Do our plans to use the complaint performance and service improvement report provide a suitable baseline for HOS to monitor compliance across the sector? Yes / No. If no, what suggestions do you have?**

**Response:**

Yes, this is mirrored by the TSM's. However as mentioned in question 3, we would like to know if there is any guidance for what the joint code would want to see in terms of learning from complaints, including any guidance or evidence of Lessons learned would be useful. A definition for lesson's learned would be helpful.

The quantitative measures will be easy to compare, however qualitative feedback would be difficult without a framework or guidance for expectations.

**Question 8 - Is our proposed prioritisation of Code compliance assessments, in the event of demand exceeding capacity, fair and reasonable? Yes / No. Please explain why and what ideas you have for achieving this outcomes by other mean**

**Response:**

Yes, however it is felt that timescales are too tight. There are options to extend, but again guidance would be beneficial. We are in a housing crisis; demand exceeds supply across the board.

**Question 9 - Do you have any other relevant comments you would like us to consider?**

**Our thoughts on other questions to raise:**

- Definition of 'learning' from complaints
- In the new code 6.2 - timeline and specifics  
What is day one when a complaint is received e.g., if a complaint is received at 4.59pm, does 'day 1' count as the day it is received or the next working day?
- Clarification on what the HOS would class as a service request with examples, so there is clarity on what is not classed as a complaint.
- Wording may need altering as there is a typo for 6.14 – '*Individuals must not be required to explain their reasons for requesting a stage 2 consideration. Organisations are expected to make reasonable efforts to understand why an individual remains unhappy as part of the **stage 2** response.*'  
Should this say stage 1 response?

If we don't ask the customer to explain their reasons or tell us why they want to escalate their complaint to stage two, then I would argue that we are assuming we know why they remain dissatisfied without actually asking them and seeking clarification.

- Can complaints be investigated separately by the LGO and the HO? Or will they always be joint investigations?
- Can we be assured of timely responses to queries from the HO? The LGO give contact details of the investigator and contact is quick and efficient.

- Landlords need to be given fair time to respond to a HO and LGO complaint, 4 weeks minimum.
- Will the HO or LGO determinations change, they currently look very different.
- What is the HO doing in terms of efficient complaint investigations – this is important for the customer.