Appendix B – 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 | Evidence on a complaint definition which can be found on our website within the Customer Feedback Guide. Link below  <https://www.sandwell.gov.uk/complaints> |
| **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 | This is also detailed within the Customer Feedback Guide (link above) there is also an explanation of assistance with third party representation. Training is also undertaken with new recruits to the council to ensure that they are aware of this approach to complaints. A new E-Learning package for all Stage 1 and Stage 2 officers will be rolled out across the organisation in Spring/Summer of 2023. |
| **1.7** | A landlord must accept a complaint unless there is a valid reason not to do so. |  |  |
| **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. |  |  |

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 | Specific information is detailed in the Customer Feedback Guide |
| **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 | Our surveys ask for permission for us to be able to contact the customer to discuss their feedback and where this both given and there is a clear service failure, then our Customer Feedback Team Officer can contact the customer to look to resolve their dissatisfaction through the complaints process. |
| 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 | Sandwell MBC offers our customers several different ways to raise a complaint. They include via telephone directly to our Customer Service Team, in person, via our website, by letter and via email and all are detailed in the Customer Feedback Guide. |
| **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 | The Customer Feedback Guide clearly states the process for the complaints journey and what happens at each stage of the process. |
| **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 | Customer Feedback Guide details the process and the policy on how to raise 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. |  | The Customer Feedback Guide states that  Sandwell MBC is committed to providing excellent customer service and delivering high quality services to our residents. It provides a link to the Reasonable Adjustment Policy and also sets out the following information:  This policy sets out what a reasonable adjustment is, how to make a reasonable adjustment to us, our duties and responsibilities and what considerations we will take into account when reviewing your request.  We must take reasonable steps in the way that we work to ensure we are compliant with Equality & Diversity legislation and regulations.  This policy does not seek to explain how we will approach every situation, it is intended as a general statement of our policy and  • confirms our commitment to improving accessibility for everybody that we deal with;  • sets out some of the basic principles of our legal duty to provide reasonable adjustments; and  • sets out the factors that we will take into account in dealing with requests for reasonable adjustments |
| **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 | The Complaint Handling Code is updated every 12 months on the Councils website, also throughout October and early November 2022, Sandwell MBC asked a random sample of tenants to take part in our tenant satisfaction survey. The survey was an opportunity for our Tenants to have their say on the housing services we provide. The findings will assist Sandwell MBC in improving the quality of services we deliver to our tenants and the results will be published on our website. |
| **2.7** | Landlords must provide residents with contact  information for the Ombudsman as part of its regular correspondence with residents. | Yes | Contact information for the Ombudsman is provided to the resident with the final response letter as part of the complaints process. |
| **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. | Partially | Full information is given at Stage 2 of our complaints process, however we will be including the information at Stage 1, as recommended.  Change will be made on our system to Stage 1 letters for this requirement in Spring 2023. |

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 | Our Customer Feedback Guide states the following: Social media – Please contact us via our official social media pages on Facebook and Twitter (please note, only our official social media pages are monitored). Where a complaint is received via social media, we will only communicate with you via the direct messaging (DM) or private messaging function in line with Data Protection legislation and to ensure that your privacy and confidentiality is maintained. |
| 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 | Customer Feedback Team are the team assigned to take responsibility for complaints. The Customer Feedback Team are responsible for Sandwell MBC complaints and report to Leadership Team and Cabinet throughout the year. |
| **3.2** | …the complaint handler appointed must have appropriate complaint handling skills and no conflicts of  interest. | Yes | The Customer Feedback Team are independent of the Housing and Repairs Team. |

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 | All Customer Service Advisors undertake E-Learning Self-Development Courses on Customer Service Advanced, Customer Service Foundations and Handling Challenging Conversations.  All Customer Service Advisors all know that staff are available via TEL/MBL Contact Numbers as well as Microsoft Teams for a quick resolution of a complaint.  All Customer Service Advisors are made aware to try and resolve the issue first for the Customer, rather than logging the Complaint. However, if the Customer is adamant to log a Complaint - They will do so. |
| * 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 | Our Customer Feedback Guide is very clear as it states we have only 2 stages of our complaints process and we monitor our performance of acknowledging our complaints within 3 days of receipt. |
| **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. | Partially | We are currently looking to review our acknowledgment letter to fully comply with this requirement. It currently acknowledges receipt and advises next steps but does not always set out our understanding of the complaint.  We undertake to contact our resident within 3 working days of receipt of their complaint to gain an understanding and manage their expectations. |
| **4.6** | A complaint investigation must be conducted in an impartial manner. | Yes | All of our officers who carry out Stage 1 and Stage 2 complaint investigations are trained to conduct an impartial investigation. |
| **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 | As stated in 4.6 above training is carried out with all officers who carry out complaint investigations.  Customer Feedback Team meet with Housing Service managers at set points throughout the year to discuss their areas complaints and any lessons that can be learnt.  In 2023 Customer Feedback Team are also carrying out refresher training to back up our new E-Learning on complaint handling to ensure that the process is followed correctly. |
| **4.11** | Landlords must adhere to any reasonable  arrangements agreed with residents in terms of frequency and method of communication | Yes | The acknowledgement letter informs our customer about the expectations around the frequency and methods of communication for the duration of their complaint being resolved. |
| **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 | The Customer Feedback Guide sets out the 2 Stage process if our customer is not satisfied with any decisions that are made at Stage 1. |
| **4.13** | A landlord must include in its complaints policy its  timescales for a resident to request escalation of a complaint | Yes | This is set out in our Customer Feedback Guide, under the How the Council will deal with your complaint - Formal Stage section. |
| **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 | Customer Feedback Guide under Complaints that cannot be considered under this policy clearly illustrates what can be escalated. The Guide also states what happens if we decide not to investigate a complaint and giving our reasons why. |
| **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 | All complaints are logged on our Open Housing System, and include the details of the complaint, date logged and correspondence is attached by the officer dealing with the investigation. |
| **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 | The Customer Feedback Guide has a section entitled: Managing unreasonable complainant behaviour there is also a link to the unreasonable behaviour policy in this section of the guide. |

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 | Partially | All information should be clarified at the Stage 1 acknowledgment phase of the complaint, however, some work undertaken in 22/23 has seen evidence that this is not always happening. An new E-Learning training package is to be launched in Spring 2023 that re-emphasises this point along with follow up training to individual teams will reinforce this message. |
| **4.4** | A complaint should be resolved at the earliest possible | Yes | Our Customer Feedback Guide states at the outset of the document:  *Initial Stage*  *The Council takes complaints seriously and places a strong emphasis on contacting the customer at the early stage of receiving a complaint. At this stage, whenever possible, we will contact you by telephone or email and talk to you about the issue you have complained about. We will look to resolve the matter for you quickly and without the need for escalation to the formal complaints process.* |
| 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 | We advise our residents that in the event they wish to make a complaint it is useful to put the details of their complaint in writing. If this is something they do not feel comfortable doing or have difficulty in doing they can:  • appoint an advocate to act on your behalf  • ask your local Councillor to act on your behalf  • ask a friend, carer or family member to help you  • ask an organisation like Citizens Advice Bureau to help you  This is detailed in our Customer Feedback Guide. |
| 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. |
| **Communication with the resident should not generally identify individual members of staff or contractors.** |
| **Landlords should keep residents regularly updated about the progress of the investigation.** |
| **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.** |
| **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** |
| **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.** |
| **4.8** | Where a key issue of a complaint relates to the parties’ | Yes | If there is any reference to legal obligations, then Sandwell MBC would take advice from our Legal Team colleagues. |
| legal obligations landlords should clearly set out their |
| understanding of the obligations of both parties. |

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. | Yes | This is fully detailed in our Customer Feedback Guide in the *How the Council will deal with your complaint - Formal Stage* section. |
| **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. | Partially |  |

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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 | Our letter template encourages all complaints responses, to address all points raised by the Customer and letters are regularly sampled by Customer Feedback Team when looking at *Lessons Learnt* feedback |
| **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 | The template letter that we use on our Open Housing system is set up to pick out all the bullet points in this section. |

Stage 2

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| --- | --- | --- | --- |
| **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 | *The Customer Feedback Guide details the following around the Stage 2 process:*  *Stage 2*  *If the complainant is dissatisfied with the outcome of the Stage One response, they can request to escalate their complaint to Stage Two which is the final stage of the complaints process. The complainant must specify the reasons for wanting to proceed to Stage Two. Simply stating that they are unhappy with the response received or just exercising the right to escalate to the next stage are not justified reasons to initiate a Stage Two investigation.*  *A Stage Two request should be made within 28 working days of the date of the Stage One response. The complainant is required to explain why they remain dissatisfied and, where appropriate, provide clear reasons for escalation. The Council will then determine whether the complaint can be considered at Stage Two. The decision to accept a complaint as qualifying as a Stage Two complaint will be made promptly and should take no more than 3 working days. If we cannot accept your complaint we will inform you and tell you why.* |
| 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 | See response in 5.9 above. |
| 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. |
| **The person considering the complaint at stage two, must not be** |
| **the same person that considered the complaint at stage one.** |
| **Landlords must respond to the stage two complaint within 20** |
| **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.** |
| **Landlords must confirm the following in writing to the resident at** |
| **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.** |
| **5.11** | Landlords must only escalate a complaint to stage two once it | Yes | See response in 5.9 above. |
| has completed stage one and at the request of the resident. |

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. | Yes | Two Stage process in place. |

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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 | N/A |

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 | See response in 5.1 above. |
| 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 | The Customer Feedback Team are not aware of any Stage 2 complaints in the last 12 months where an agreement over an extension of time period was not agreed upon by both parties.  However, we will use this now as part of our refresher training to all officers in 2023. |
| 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 | This was highlighted to the Customer Feedback Team in one of our Lessons Learnt meetings with service managers around a particular faulty boiler. |
| 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 | The Customer Feedback Team would always check to see if any response had been issued to our resident, if it hadn’t it would be forwarded on to the Officer dealing with the Stage 1, if it was too late for that Stage 1 then a new complaint would be logged. |
| 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

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| --- | --- | --- | --- |
| **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 | See response in 5.12 above. |
| 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 | See response in 5.13 above. |
| 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

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| --- | --- | --- | --- |
| **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 | Yes | The Third Stage is for a Tenants Panel, should the resident require one, however as a result of recent Ombudsman changes to the ‘Designated’ Person’ role this will not be put forward on your Stage 2 final responses. |
| 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 | N/A |
| 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 | Our Complaint responses always outlines any actions we have taken and actions to be taken to demonstrate lessons learnt. As stated above, during the past 12 months the Customer Feedback Team have held regular learning from complaints’ meetings and root cause analysis investigations. Also, our Open Housing complaints system mandates the completion of lessons learnt. |
| **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 | Our remedy reflects service failure and any detriment caused to our customer. |
| **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 | All resolution letters clearly outline our proposed remedy, where compensation is agreed, this is followed through for payment. However, where future works have been agreed the checking to ensure completion after the complaint has been closed is sporadic. The new complaint handling system will clearly identify these cases and there are plans to add resource to the team to ensure this happens in all cases. |
| **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. |  | \*\*\*\*\* |

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 | As stated above, in this past 12 months the Customer Feedback Team have been involved in Lessons Learnt meetings with service managers and looked to share practices with everyone. If any policies have not been working, we have requested that they be reconsidered. |
| 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 | If there was any reference to any legal obligations, then Sandwell MBC would refer this matter to our legal team colleagues for appropriate advice. |
| redress. The landlord should still offer a resolution where |
| possible, obtaining legal advice as to how any offer of resolution |
| should be worded. |

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 | Our Complaint responses always outlines any actions we have taken and actions to be taken to demonstrate lessons learnt. As stated above, during the past 12 months the Customer Feedback Team have held regular learning from complaints’ meetings and root cause analysis investigations. Also, our Open Housing complaints system mandates the completion of lessons learnt. |
| **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 | Our remedy reflects service failure and any detriment caused to our customer. |
| **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 | All resolution letters clearly outline our proposed remedy, where compensation is agreed, this is followed through for payment. However, where future works have been agreed the checking to ensure completion after the complaint has been closed is sporadic. The new complaint handling system will clearly identify these cases and there are plans to add resource to the team to ensure this happens in all cases. |
| **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. |  | \*\*\*\*\* |

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 | Wider learning is reported and updated on our website every 12 months. Complaints are also discussed with our Scrutiny Panel. |

**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 | Partially | There is a new focus within Sandwell MBC around the Customer Journey, this is also looking at the complaints aspect of the customer journey. A Director was given this responsibility, but he has left the council in January 2023 and we are awaiting further information on if he will be replaced or if there will be a restructure as to who will own this at Director/Leadership level. |
| 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: | Partially | Complaints data is reported on at monthly Leadership meetings.  Customer Feedback Team are also the Ombudsman Link Officers for the council. Ombudsman data is also reported on at Leadership and Cabinet levels.  More work needs to be done with the Complaint Handling Code for Scrutiny and challenge. |
| * 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 | As detailed above Customer Feedback Team have worked with Housing and Repairs Service Managers over the last 12 months looking at Lessons Learnt, sharing best practices. |
| **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 | We are able to demonstrate that there is good working relationships between teams across the council when it comes to complaints that are cross-departmental complaints. |

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 | All self-assessments are published and available on our website. |
| **8.2** | Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures. | Partially | There is an ongoing restructure within our Housing department. |
| **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 | See response in 8.1 above. |