

**AGENDA ITEM 12**

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| **Title:** Complaint Handling | **Date of Meeting:** 18th March 2024 |
| **Author:** Carole Richardson | **Email:** carole.richardson@northstarhg.co.uk |
| **Job Title:** Executive Director of People and Culture | |
| **Strategic Heading:**  Compliance | **Status:** Decision |
| **Purpose:** To update the Board on the revised Complaints Handling Code (Housing Ombudsman Service) and the self-assessment conducted. | |
| **Recommendation:** Board is asked to review and approve the self-assessment | |

1. Background

The Housing Ombudsman Service (HOS) and the Regulator of Social Housing (RSH) work closely together but have different roles. These roles are intended to be complementary, ensuring landlords meet expected levels of service delivery to tenants, and organisational levels respectively.

Following the changes made as part of the Social Housing White Paper reforms, the HOS:

* Now publishes the outcomes of all individual decisions, as well as an annual report setting out the number and nature of the complaints made against member landlords.
* Has set out clear expectations of landlords in its Complaints Handling Code, which sets out good practice that will allow landlords to respond to complaints effectively and fairly, and to learn from complaints to improve their services.
* Is doing more to help both individuals and organisations to learn from its work by publishing reports on its casework, identifying good practice, and running webinars and other training events.
* Conducting further investigations to establish whether failure in individual cases is indicative of ‘systemic’ or wider failure and identify where improvements to services are needed. If there is evidence of systemic failure by an individual landlord to meet regulatory standards, the Ombudsman may refer the issue to the appropriate regulatory body, usually the Regulator of Social Housing.
* The Social Housing White Paper committed to keep the Housing Ombudsman’s powers, and compliance with them, under review, and to consider ways to strengthen them.

1. Context

In September 2023, the Housing Ombudsman Service (HOS) along with the Local Government & Social Care Ombudsman, published a further, revised Complaint Handling Code for consultation. The final version was published in February 2024. The code will come into effect from 1st April 2024.

The key changes to the code are:

* The HOS has a new statutory duty to monitor landlords’ compliance with the Code.
* Housing Organisations need to produce an annual complaints performance and service improvement report which will include an annual self-assessment against the code.
* The complaints performance and service improvement report must be reported to the Board and published on the website along with Boards response to the report.
* A suitable senior executive must be appointed to oversee complaint handling and performance in addition to a member of the governing body (Board Member) being appointed to have lead responsibility for complaints.
* The reporting of complaints, including the improvement report, has been aligned to the requirements of the TSMs. Submissions must be via a dedicated electronic form and submitted by 30 June 2024.
* To raise landlord awareness of the need to comply with their duties under the Equality Act 2010, including anticipating any needs and reasonable adjustments of residents who need to access the complaints process and keeping reasonable adjustments under active review.

There are also a range of amendments to complaint handling guidance that relate to timescales, definitions, and process. Implementing changes to our policy is straight forward. Our focus is on ensuring that these changes drive service improvement for customers.

1. Current Position

We have conducted a full self-assessment of North Stars compliance against the code and have fully critiqued our approach. We identified areas that needed improvement and have implemented these.

The implementation of the complaints module of HMS Endeavour (The new Housing Management System) has helped to improve record keeping and analysis.

We have been briefing Staff during the development of the HOS Code. In March we will carry out a further briefing, and training for staff and Managers.

The self-assessment has also been scrutinised by the Senior Team

The self-assessment is attached at Appendix One.

The revised complaints policy can be accessed [here](https://northstarhg-uk.azeusconvene.com/jsp/dm/file_download.jsp?DOC_ID=635CE24F-8C74-4A91-9051-363B0FE9E2CF&LATEST=Y&PAGE=1).

As of 1st April, we will be fully compliant with the code. The only area that will be outstanding relates to the annual report to be brought to Board. This is planned for June 2024. The actions associated with this and the development of the role of nominated Board Member is set out at Appendix Two.

1. Conclusion

The revised code provided us with an opportunity to strengthen and review approaches. We are confident that the improvements we have implemented will improve what we do, provide a better service to customers, be more transparent, and enable us to evidence our compliance with the code.

1. Recommendations

Board is asked to approve the self-assessment

1. Risks

[SRR6 Not Meeting Regulatory Expectations](https://northstarhg-uk.azeusconvene.com/jsp/dm/file_download.jsp?DOC_ID=F9C0C75C-A3EF-4992-9ACC-B7A22041374C&LATEST=Y&PAGE=1) (strategic): Low risk appetite.

There is also an emerging risk with the Executive Director of Customers vacancy.

# Appendix One

# Self-assessment Form

Guidance from The Housing Ombudsman Service.

This self-assessment form should be completed by the complaints officer and it must be reviewed and approved by the landlord’s governing body at least annually.

Once approved, landlords must publish the self-assessment as part of the annual complaints performance and service improvement report on their website. The governing body’s response to the report must be published alongside this.

Landlords are required to complete the self-assessment in full and support all statements with evidence, with additional commentary as necessary.

We recognise that there may be a small number of circumstances where landlords are unable to meet the requirements, for example, if they do not have a website. In these circumstances, we expect landlords to deliver the intentions of the Code in an alternative way, for example by publishing information in a public area so that it is easily accessible.

# Section 1: Definition of a complaint

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| **Code provision** | **Code requirement** | **Comply:**  **Yes / No** | **Evidence** | **Commentary / explanation of North Stars approach** |
| 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 landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.’* | Yes | Section 1 of the Complaints Policy | Definition of a complaint in North Stars Complaints Policy is the same as the Housing Ombdsmans Service (HOS) definition. |
| 1.3 | A resident does not have to use the word ‘complaint’ for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make complaint. A complaint that is submitted via a third party or representative must be handled in line with the landlord’s complaints policy. | Yes | Sections 6 and 7 of the Complaints Policy | If a customer gives permission, a complaint submitted via a third party or representative will be managed in line with the complaints policy. The customer does not need to use the word “complaint”. We will try to resolve any expression of dissatisfaction with the service quickly and will give the customer a choice to make a complaint if they remain dissatisfied. |
| 1.4 | Landlords must recognise the difference between a service request and a complaint. This must be set out in their complaints policy. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly. | Yes | Definitions in sections 1 and 2 of the Complaints Policy.  Service Requests are in section 9 of the Complaints Policy | The Policy includes the definitions of a complaint and a service request. Service requests are not recorded as a complaint but are recorded separately along with the actions taken. Service requests are monitored for trends and issues that will require further action. |
| 1.5 | A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Landlords must not stop their efforts to address the service request if the resident complains. | Yes | Sections 7 and 9 of the Complaints Policy | Following completion of a service request, if the customer remains dissatisfied, the option to escalate the issue to a complaint will be offered. |
| 1.6 | An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain. | Yes | Satisfaction surveys will now include this information from April 2024. | Satisfaction surveys will now include this information from April 2024. |

# Section 2: Exclusions

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| **Code provision** | **Code requirement** | **Comply: Yes / No** | **Evidence** | **Commentary / explanation of North Stars approach** |
| 2.1 | Landlords must accept a complaint unless there is a valid reason not to do so. If landlords decide not to accept a complaint, they must be able to evidence their reasoning. Each complaint must be considered on its own merits | Yes | Section 8 of the Complaints Policy | The policy states that we will write and explain the reasons why we will not accept a complaint. Each case will be considered on its own merits. |
| 2.2 | A complaints policy must set out the circumstances in which a matter will not be considered as a complaint or escalated, and these circumstances must be fair and reasonable to residents. Acceptable exclusions include:   * The issue giving rise to the complaint occurred over twelve months ago. * Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court. * Matters that have previously been considered under the complaints policy. | Yes | Section 8 of the Complaints Policy | The exclusions included in the policy comply with the acceptable exclusions in the Complaint Handling Code |
| 2.3 | Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so. | Yes | Section 8 of the Complaints Policy | Complaints regarding issues within the last 12 months will be accepted unless one of the exclusions in Section 8 applies but the decision to exclude it will be considered on its own merits. |
| 2.4 | If a landlord decides not to accept a complaint, an 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. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint. | Yes | Section 8 of the Complaints Policy | The customer will be contacted in explaining the reason for not accepting the complaint with information on how to contact the housing Ombudsman service if they do not agree with the decision. |
| 2.5 | Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint. | Yes | Section 8 of the Complaints Policy | The policy states that each case for excluding from the complaints procedure with be considered on its own merits. |

# Section 3: Accessibility and Awareness

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| **Code provision** | **Code requirement** | **Comply: Yes / No** | **Evidence** | **Commentary / explanation** |
| 3.1 | Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process. | Yes | Sections 7 and 15 of the Complaints Policy | Complaints are accepted through a variety of different channels to suit the customer.  The policy also gives examples of some of the adjustments we will make to ensure no one is disadvantaged in being able to make a complaint. Complaints can be made in person, in writing, by telephone, by email, via our website, through another person or advocate, through our surveys and via social media. |
| 3.2 | Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord. | Yes | Sections 3 and 7 of the Complaints Policy | Any member of staff will accept a complaint, record it and forward to the Complaints and Performance Co-ordinator for allocation. All front line housing and CST staff have received training on resolving complaints and systems. Training for none front line members of staff will be concluded by May 24. |
| 3.3 | High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain. | Yes | Quarterly report to Board | Volume of complaints are monitored, trends analysed and levels are benchmarked against other providers. The detail is reported to Board |
| 3.4 | Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two-stage process, what will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord’s website. | Yes | Complaints Policy, North Star website | A leaflet setting out how the requirements of 3.4 is being developed and will be at all supported housing services in April. The Complaints Policy is published on the complaints page of the North Star website and has a tool that enables translation, and access to a range of tools to provide support to people who have audio or visual needs. This meets the requirements of the Equality Act 2010 |
| 3.5 | The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code. | Yes | Sections 5 and 11 of the Complaints Policy | The policy sets out how we will publicise details of the complaints policy on the website, in the tenants' newsletter, leaflets, social media and at every supported housing service.  The policy contains information about the HOS with its address and its website. Details on the Housing Ombudsman service are provided in all complaint’s correspondence. |
| 3.6 | Landlords must 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. | Yes | Section 6 of the Complaints Policy | The policy states that a customer can have a representative to deal with their complaint on their behalf. |
| 3.7 | Landlords must provide residents with information on their right to access the Ombudsman service and how the individual can engage with the Ombudsman about their complaint. | Yes | Sections 5 and 11 of Complaints Policy  Website | The policy contains the Housing Ombudsman contact details, and all complaints correspondence informs the customer that they can contact the Housing Ombudsman for help and advice at any point during the complaints process. |

# Section 4: Complaint Handling Staff

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| **Code provision** | **Code requirement** | **Comply: Yes / No** | **Evidence** | **Commentary / explanation** |
| 4.1 | Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the ‘complaints officer’. This role may be in addition to other duties. | Yes | The Head of Service is the “complaints officer” | The Head of Customers has overall responsibility for complaint handling, liaising with the Ombudsman and ensuring complaints are reported to the Board. |
| 4.2 | The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly. | Yes | Complaints records | The Head of Customers is highly experienced in handling complaints and has access to staff at all levels to ensure complaints are responded to in a timely manner. Service Managers dealing with complaints are experienced and are developed to deliver excellent customer service whilst also having the autonomy and authority to resolve complaints quickly and award compensation where appropriate. |
| 4.3 | Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and must be resourced to handle complaints effectively | Yes | Training records  Complaints reporting to Board | The Head of Customers meets every six weeks with Service Managers to discuss any performance issues, emerging trends/patterns, and agree the action required and a timescale. The learning is shared across teams. Quarterly reporting to Board covers learning and actions from complaint handling.  All staff receive complaints training every two years with the customer services team receiving more frequent training on service requests and complaints Complaints training for CST was last carried out 12th December 23. Training for complaint investigation carried out March 23. |

# Section 5: The Complaint Handling Process

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| **Code provision** | **Code requirement** | **Comply: Yes / No** | **Evidence** | **Commentary / explanation** |
| 5.1 | Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain. | Yes | Complaints Policy | North Star has a single complaints policy and procedure for all complaints. |
| 5.2 | The early and local resolution of issues between landlords and residents is key to effective complaint handling. It is not appropriate to have extra named stages (such as ‘stage 0’ or ‘informal complaint’) as this causes unnecessary confusion. | Yes | Complaints Policy  Complaints and Service request records on the system | North Star has a two-stage complaint process as per the Complaints Handling Code. Service requests are monitored to ensure that they are not used to prevent issues progressing to complaints. |
| 5.3 | A process with more than two stages is not acceptable under any circumstances as this will make the complaint process unduly long and delay access to the Ombudsman. | Yes | Complaints Policy | North Star has a two-stage complaint process as per the Complaints Handling Code. |
| 5.4 | Where a landlord’s complaint response is handled by a third party (e.g. a contractor or independent adjudicator) at any stage, it must form part of the two stage complaints process set out in this Code. Residents must not be expected to go through two complaints processes. | Yes | Complaints Policy  Complaints records | All complaints are handled by North Star managers and if input from a third party i.e., contractor is required, this will be included in the managers investigation and completed within North Stars two stage complaints process. Customers would not need to go through the contractors’ complaints process. |
| 5.5 | Landlords are responsible for ensuring that any third parties handle complaints in line with the Code. | Yes | Complaints Policy | Complaints are handled by a North Star manager and not passed to third parties to handle the complaint. |
| 5.6 | When a complaint is at Stage 1 or 2 landlords must set out their understanding of the complaint and the outcomes the resident is seeking. | Yes | Section 11 of the Complaints Policy | Staff are trained to clarify what the complaint is about and the outcome that is being sought. Managers handling the complaint will contact the resident to discuss the complaint and the outcome they are seeking. |
| 5.7 | When a complaint is acknowledged at either stage, landlords must be clear which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear. | Yes | Acknowledgement letters Section 8 of the Complaints Policy | Acknowledgement letters clarify the complaint and any areas that North Star is not responsible for would be stated If the whole complaint was for a service not provided by North Star, the resident would be informed in writing as per Section 8 of the Complaints Policy. |
| 5.8 | At each stage of the complaints process, complaint handlers must:   1. deal with complaints on their merits, act independently, and have an open mind; 2. give the resident a fair chance to set out their position; 3. take measures to address any actual or perceived conflict of interest; and 4. consider all relevant information and evidence carefully. | Yes | Sections 10 and 11 of the Complaints Policy | Managers and Directors of North Star have developed a framework in which complaints will be managed. This covers expectations, behaviours and stresses the importance of effective resolution and learning.  At each stage of complaints handling, the manager will contact the customer to discuss the complaint and the outcome the customer is seeking and record this. Managers will handle complaints fairly and consider information and evidence carefully. Any actual/perceived conflict of interest will be discussed with the Complaints Officer and allocated to an alternative manager if appropriate. |
| 5.9 | Where a response to a complaint will fall outside the timescales set out in this Code, the landlord must agree with the resident suitable intervals for keeping them informed about their complaint. | Yes | Section 11 of the Complaints Policy | The policy states that the resident must be contacted to agree any extension to the timescales and agree intervals to keep them informed of progress. |
| 5.10 | Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review. | Yes | Section 15 of the Complaints Policy.  Housing System Tenancy records | The policy states that North Star will provide any necessary adjustment possible such as interpreter, large print, extra time to respond and additional support as required. This will be noted on the complaints record and the housing system can record any disability the resident discloses. A review date can be added as a prompt to review this data. |
| 5.11 | Landlords must not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do so. Landlords must clearly set out these reasons, and they must comply with the provisions set out in section 2 of this Code. | Yes | Section 8 of the Complaints Policy | The policy states the exceptional reasons for not accepting or escalating a complaint for both stages of the complaints process. |
| 5.12 | A full record must be kept of the complaint, 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 relevant supporting documentation such as reports or surveys. | Yes | Individual complaints records recorded on the Complaints section of the Housing system. | A new housing system was implemented in 2023 which includes a complaints module. Full complaints records are recorded linked to the tenants’ records and includes relevant dates, supporting documents, letters, and outcomes. |
| 5.13 | Landlords must have processes in place to ensure a complaint can be remedied at any stage of its complaints process. Landlords must ensure appropriate remedies can be provided at any stage of the complaints process without the need for escalation. | Yes | Complaints Policy  Compensation and Remedy Policy | The policy and staff training focuses on complaint resolution at any stage of the process from taking a service request to a stage two complaint. Resolving the issue is the priority. |
| 5.14 | Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review. | Yes | Unreasonable Customer Behaviour and Persistent Complaints Policy | North Star has an Unreasonable Customer Behaviour and Persistent Complaints Policy to manage any unacceptable behaviour from customers or their representatives. Para 4.3 of the policy states review periods will be provided to the tenant. |
| 5.15 | Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010. | Yes | Unreasonable Customer Behaviour and Persistent Complaints Policy | The Unreasonable Customer Behaviour and Persistent Complaints Policy has a section on equality and has regard for the Equality Act 2010. |

# Section 6: Complaints Stages

# Stage 1

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| **Code provision** | **Code requirement** | **Comply: Yes / No** | **Evidence** | **Commentary / explanation** |
| 6.1 | Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident. | Yes | Section 11 of the Complaints Policy | When a manager receives a complaint that is complex and identifies that it will take longer than the 10 working days to respond, we will inform the inform the customer at the earliest opportunity to agree a revised timescale with the customer. This action is recorded on the complaints record and the target date adjusted on the system. |
| 6.2 | Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure within five working days of the complaint being received. | Yes | Section 11 of the Complaints Policy | Complaints are logged onto the system and acknowledged within two working days. This is recorded and assurance obtained through regular reports. |
| 6.3 | Landlords must issue a full response to stage 1 complaintswithin 10 working days of the complaint being acknowledged. | Yes | Section 11 of the Complaints Policy  Complaints system records | All final response letters are recorded on the system. If a response cannot be made within 10 days this is discussed with the customer. Assurance is obtained through regular reports. Training on the new code is due to be undertaken in March. Response times will be an area of focus. |
| 6.4 | Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident. | Yes | Section 11 of the Complaints Policy  Complaints system records | The policy states that any extensions must be explained and agreed with the customer. This is recorded on the complaints system. Any extension beyond a further 10 days must be approved by a Head of Service and must have good reason that has been explained and agreed with the customer. This would only happen in complex cases. |
| 6.5 | When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman. | Yes | Section 11 of the Complaints Policy  Complaints system records | All complaints correspondence and leaflets have a paragraph informing the customers of their right to contact the Housing Ombudsman and include the link to the HOS website. |
| 6.6 | A complaint response must be provided 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 promptly with appropriate updates provided to the resident. | Yes | Section 11 of the Complaints Policy  Complaints system records | The policy states this and any outstanding actions should be entered as tasks on the complaint record on the system and followed up to ensure the actions/work have been completed. |
| 6.7 | Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate. | Yes | Section 11 of the Complaints Policy | The Complaints Policy states that all issues raised will be investigated and responded to separately within the investigation and in the final response letter. |
| 6.8 | Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint. | Yes | Section 11 of the Complaints Policy | The policy states where additional complaints are raised during the stage one investigation, they will be incorporated within the complaint response if they are related. If the response has been issued or it would unreasonably delay the response or its unrelated then they are recorded as a new complaint. |
| 6.9 | Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language:   1. the complaint stage; 2. the complaint definition; 3. the decision on the complaint; 4. the reasons for any decisions made; 5. the details of any remedy offered to put things right; 6. details of any outstanding actions; and 7. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response. | Yes | Section 11 of the Complaints Policy | These are listed in the stage 1 guidance of the policy |

**Stage 2**

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| **Code provision** | **Code requirement** | **Comply: Yes / No** | **Evidence** | **Commentary / explanation** |
| 6.10 | If all or part of the complaint is not resolved to the resident’s satisfaction at stage 1, it must be progressed to stage 2 of the landlord’s procedure. Stage 2 is the landlord’s final response. | Yes | Section 11 of the Complaints Policy | The stage one final response letter provides escalation details should they remain dissatisfied with the stage one outcome. Stage two is the final stage in North Star’s Complaints Policy. |
| 6.11 | Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure within five working days of the escalation request being received. | Yes | Section 11 of the Complaints Policy | North Star’s policy is to record and acknowledge receipt of a stage two complaint within two working days and within the guidance set out in the Complaint Handling Code. |
| 6.12 | Residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response. | Yes | Section 11 of the Complaints Policy | The policy asks officers to understand the issues the customer is unhappy about and the outcomes they are seeking but we would not refuse to escalate to stage two if they did not give this to us. Saying they are unhappy with the outcome and that they want to escalate to next stage is sufficient to progress to stage two. |
| 6.13 | The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1. | Yes | Section 11 of the Complaints Policy | The policy states that it will be considered by a Head of Service, Assistant or Executive Director that has not been involved in the stage one investigation. |
| 6.14 | Landlords must issue a final response to the stage 2 within 20 working day**s** of the complaint being acknowledged. | Yes | Section 11 of the Complaints Policy | North Star’s policy is to investigate and respond to a stage two complaint within 10 working days therefore within the guidance set out in the Complaint Handling Code. |
| 6.15 | Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident. | Yes | Section 11 of the Complaints Policy | North Star’s policy states that an extension of 10 working days can be agreed with the customer if the review cannot be concluded within the initial timescale. We are therefore within the timescale set out with the Complaint Handling Code of an additional 20 working days. |
| 6.16 | When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman. | Yes | Section 11 of the Complaints Policy | The acknowledgement letter for a stage two complaint includes the Housing Ombudsman’s contact details and the customer’s rights to contact them for advice at any stage of the landlord’s complaints process. It also contains the HOS website link |
| 6.17 | A complaint response must be provided 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 promptly with appropriate updates provided to the resident. | Yes | Section 11 of the Complaints Policy | This applies to both stages in the complaints procedure and is stated in the policy. As per 6.6 above, actions are tracked using the complaints system. |
| 6.18 | Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate. | Yes | Section 11 of the Complaints Policy | The Complaints Policy states that all issues under a complaint will be investigated and responded to separately within the investigation and in the final response letter. |
| 6.19 | Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language:   1. the complaint stage; 2. the complaint definition; 3. the decision on the complaint; 4. the reasons for any decisions made; 5. the details of any remedy offered to put things right; 6. details of any outstanding actions; and 7. details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied. |  | Section 11 of the Complaints Policy | These are listed in the stage two guidance of the policy. |
| 6.20 | Stage 2 is the landlord’s final response and must involve all suitable staff members needed to issue such a response. | Yes | Section 11 of Complaints Policy | The stage two review will be completed by a Head of Service, Assistant Director or Executive Director and will involve relevant staff needed to make a final response.  The relevant Executive Director has oversight of the stage two process and the final response. |

# Section 7: Putting Things Right

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| **Code provision** | **Code requirement** | **Comply: Yes / No** | **Evidence** | **Commentary / explanation** |
| 7.1 | 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. These can include:   * Apologising; * Acknowledging where things have gone wrong; * Providing an explanation, assistance or reasons; * Taking action if there has been delay; * Reconsidering or changing a decision; * Amending a record or adding a correction or addendum; * Providing a financial remedy; * Changing policies, procedures or practices. | Yes | Complaints Policy | This is covered in the expected responses in the stage one or two outcome letters. Our focus is to put things right to the satisfaction of the customer. Letters will include an apology when something has gone wrong and set out the actions to remedy this and include any financial compensation. Any change in policies and procedures will also be recorded on the complaints system for follow up action. |
| 7.2 | Any remedy offered must reflect the impact on the resident as a result of any fault identified. | Yes | Complaints policy  Compensation and Remedy Policy  Repairs Handbook | A remedy will be agreed with the customer and will reflect the impact on the customer. Any compensation/remedy will be awarded in line with the Compensation and Remedy Policy. |
| 7.3 | 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 | Complaints policy  Compensation and Remedy Policy | Remedies are discussed and agreed with the customer prior to the response letter being sent. The response letter will give details of remedies and dates/amounts/work agreed. Any outstanding works will be recorded on the system and a task raised to ensure completion is followed through. |
| 7.4 | Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies. | Yes | Complaints and Remedy Policy | The latest guidance from the Ombudsman is reflected in our policy |

**Section 8: Self-assessment, Reporting and Compliance**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Code provision** | **Code requirement** | **Comply: Yes / No** | **Evidence** | **Commentary / explanation** |
| 8.1 | Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include:   1. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements. 2. a qualitative and quantitative analysis of the landlord’s complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept; 3. any findings of non-compliance with this Code by the Ombudsman; 4. the service improvements made as a result of the learning from complaints; 5. any annual report about the landlord’s performance from the Ombudsman; and 6. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord. | Yes | Complaint Handling Code Self-Assessment 2023  Board Performance Reports | This is a new requirement of the code. In previous years we have completed the annual self-assessment against the Complaint Handling Code, and this has been reported to Board and published on the website for customers/stakeholders. Complaints are reported quarterly to Board on numbers and outcomes along with actions taken to resolve themes in complaints.  As the annual complaints performance and service improvement report is a new requirement plans are in place to produce and report this information at year end and report to Board and publish the report along with Boards response on North Stars website and submit to the HO by 30th June 2024. We will comply when the report has been approved by Board in June. |
| 8.2 | The annual complaints performance and service improvement report must be reported to the landlord’s governing body (or equivalent) and published on the on the section of its website relating to complaints. The governing body’s response to the report must be published alongside this. | Yes | The report will be brought to Board in June 2024 | The report will cover all relevant expectations defined in the code. Report including response by responsible Board member to be published on website by 30th June 2024. |
| 8.3 | Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures. | N/A |  |  |
| 8.4 | Landlords may be asked to review and update the self-assessment following an Ombudsman investigation. | N/A |  |  |
| 8.5 | If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website Landlords must provide a timescale for returning to compliance with the Code. | N/A |  |  |

# Section 9: Scrutiny & Oversight: Continuous Learning and Improvement

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Code provision** | **Code requirement** | **Comply: Yes / No** | **Evidence** | **Commentary / explanation** |
| 9.1 | Landlords must look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint. | Yes | Recorded on the Complaints system | Managers cannot close a complaint on the system unless they input any service Improvements/actions to be taken. This is included in a monitoring report to the Head of Service and shared with Managers |
| 9.2 | A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery. | Yes | Recorded on complaints system | Monthly reports are produced for the Complaints Lead with details of complaints by department, type, and contractor. Head of Customers regularly meets with Customer Services Team to understand data/intelligence from front line services. Regular meetings are held between Head of Customers and relevant service managers who manage stage one complaints to identify any issues and trends to make positive changes and share best practice and learning. Quarterly updates are shared with Board and SMT. These include actions taken to address emerging issues and changes to service delivery. The Complaints and Performance co-ordinator meets with contractors on a weekly basis to discuss complaints, share best practice and identify any learning to improve service delivery. |
| 9.3 | Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents’ panels, staff and relevant committees. | Yes | Board Performance Reports | Quarterly and annual Performance reports to Board give a summary of complaints with comments on complaints issues by service area and learning and improvements.  Information is also shared in the tenant newsletter, and on the website. |
| 9.4 | Landlords must appoint a suitably senior lead person as accountable for their complaint handling. This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision. | Yes |  | Complaints handling performance comes under the remit of the Executive Director of Customers. All Heads of Service/Assistant Directors take responsibility for actioning any systemic issues, risks and changes to policy that arise. |
| 9.5 | In addition to this a member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints (‘the MRC’). | Yes | Board volunteers have been sought | Action in progress. The MRC will be appointed by April |
| 9.6 | The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord’s complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings. | In progress |  | Action in progress. The MRC will be appointed by April. |
| 9.7 | As a minimum, the MRC and the governing body (or equivalent) must receive:   1. regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance; 2. regular reviews of issues and trends arising from complaint handling; 3. regular updates on the outcomes of the Ombudsman’s investigations and progress made in complying with orders related to severe maladministration findings; and 4. annual complaints performance and service improvement report. | Yes | Board Performance report | Quarterly Performance reports to Board give a summary of complaints with comments on complaints issues by service area which will include any learning and improvements. There have been no Ombudsman investigations concluded to date since 2020 but any Ombudsman outcomes would be reported to Board. The Annual Complaints performance and service improvements report will go to Board in June 2024. |
| 9.8 | Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:   1. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments; 2. take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and 3. act within the professional standards for engaging with complaints as set by any relevant professional body. |  | Section 3 of the Complaints Policy | These standard objectives have been incorporated into our principles for complaint handling. |

**Appendix Two**

**Self-Assessment – Action Plan**

| **Standard included in the HOS Complaint Handling Code** | **Actions required** | **Deadline** |
| --- | --- | --- |
| Produce an annual complaints performance and service improvement report for scrutiny and challenge, which include  a) the annual self-assessment against the Code.  b) a qualitative and quantitative analysis of the organisation’s complaint handling performance.  c) any findings of noncompliance with this Code;  d) the service improvements made because of the learning from complaints;  e) any annual report about the organisation’s performance from the relevant Ombudsman; and  f) any other relevant reports or publications produced by the relevant Ombudsman in relation to the work of the organisation. | A framework will be developed that will include:  -Supporting the Board Member with responsibility for complaints to develop their role in accordance with the code  -The production of the Annual Board report, Self-Assessment and Service Improvement Plan  -Publishing to customers and on website  Regulatory return to Ombudsman | April 2024  16th June 2024  30th June 2024 |