

## Housing Ombudsman Complaint Handling Code: 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*

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, explanations
1.2	<p>A complaint must be defined as: <i>‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.</i></p>	Yes	<p>LBWF complaints procedure states: <i>A complaint is an expression of dissatisfaction by a customer about the Council, its services, or its staff, where a response or resolution is explicitly or implicitly expected. It is immaterial whether the service is one delivered by the Council or by a contractor on the Council’s behalf. There is no difference between a ‘formal’ or ‘informal’ complaint; they both require a response.</i></p>

<p>1.3</p>	<p>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.</p>	<p>Yes</p>	<p>LBWF complaints procedure states: <i>A customer does not have to specifically say they are complaining for the matter to be treated as a complaint. It is often helpful to clarify with the customer what their expectations are. Such clarification should be sought from the customer if the issues they are complaining about are not clear enough.</i></p> <p>We already allow for third parties to complain on someone else’s behalf as long as the third party has the appropriate authorisation. Our complaints procedure includes a section regarding Third Party Authorisation (under Section 9) which states: <i>When a complaint has been submitted by a person or an advocate acting on behalf of the complainant, the officer dealing with the complaint should ensure that the complainant has provided written and signed authorisation for the third party or advocate to act on his/her behalf. This needs to be done before the complaint is discussed with the third party or advocate and before a response is issued to the third party or advocate.</i></p> <p><i>If no such authorisation is received, any discussion about the complaint should only be held with the complainant and any response should only be issued directly to the complainant. A template for third party authorisation can be found at Appendix 3 to this document and as a separate document on ForestHub.</i></p>
<p>1.6</p>	<p>Chasers on a service request, such as a missed appointment, can often be resolved ‘there and then’ with an apology and the provision of another appointment and may not need to enter the complaints system. <b>However, if further enquiries are needed to resolve the matter, or if the resident requests it, the issue</b></p>	<p>Yes</p>	<p>LBWF complaints procedure states: <i>When a member of the public first requests a service, that first request is not generally treated as a complaint. The exception to this could include instances where the request includes an expression of dissatisfaction or if there is a</i></p>

	<b>must be logged as a complaint..</b>		<p><i>suggestion that the request is triggered by the Council's failure to do something.</i></p> <p><i>If a request for service is not addressed, and the customer contacts the Council again to advise that they are unhappy with the quality or lack of service or to disagree with the Council's policy and procedures, the matter should be treated as a complaint.</i></p>
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	As long as the complaint is about a matter that can be reviewed under our corporate complaints procedure, we will allow the complaint to go through our formal process. Our complaints procedure includes a section regarding " <i>Matters that are outside the remit of the corporate complaints procedure</i> ", and we publish this information on our website so that customers are informed of exceptions that may apply.
1.8	A complaints policy must clearly set out the circumstances in which a matter will not be considered, and these circumstances should be fair and reasonable to residents.	Yes	As long as the complaint is about a matter that can be reviewed under our corporate complaints procedure, we will allow the complaint to go through our formal process. Our complaints procedure includes a section regarding " <i>Matters that are outside the remit of the corporate complaints procedure</i> ", and we publish this information on our website so that customers are informed of exceptions that may apply.
1.9	If a landlord decides not to accept a complaint, a detailed explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.	Yes	As long as the complaint is about a matter that can be reviewed under our corporate complaints procedure, we will allow the complaint to go through our formal process. Our complaints procedure includes a section regarding " <i>Matters that are outside the remit of the corporate complaints procedure</i> ", and we publish this information on our website so that customers are informed of exceptions that may apply. It is our usual practice to advise complainants in writing if we cannot accept their complaint and to explain the reasons for refusal.

## Section 1 – Definition of a complaint

### Best practice 'should' requirements

1.4	Landlords should recognise the difference between a service request and a complaint. A service request is a request from a resident to their landlord requiring action to be taken to put something right. Service requests should be recorded, monitored, and reviewed regularly. A complaint should be raised when the resident raises dissatisfaction with the response to their service request.	Yes	<p>Our complaints procedure includes information about this in Section 1 – Definition of a complaint. We set out examples and scenarios of when a request is a service request and when the matter should be treated as a formal complaint. We say:</p> <p><i>Example: If a customer reports a repair issue for the first time – treat as a service request, but if the repair is not carried out or is not carried out properly or there is a delay and the customer complains, this should be treated as a formal complaint.</i></p> <p><i>When deciding whether a 'complaint' can be dealt with as a Service Request, the Service Area should consider the history of the case; for example, has the customer raised the complaint multiple times or have we already treated previous complaints as Service Requests?</i></p> <p><i>If it is the case that there is a 'history' of similar service requests and/or complaints about the same matter, the Service Area must apply the corporate complaints procedure and deal with the matter formally, rather than providing brief and informal responses to the complainant.</i></p> <p><i>Dealing with the complaint formally gives the Council the opportunity to determine whether there are any issues leading to ongoing failure in service delivery.</i></p>
1.5	Survey feedback may not necessarily need to be treated as a complaint, though, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to.	No	<p>The practice of sending customer satisfaction forms with complaint responses ceased several years ago. Historically, when we have used customer satisfaction surveys at the end of a complaint investigation, the responses received have been negative, particularly when the outcome of the complaint has not gone in the customer's favour. The Council conducts customer</p>

			<p>service surveys through mystery shopping or other methods, which are not necessarily specific to complaints handling but give a good indication of satisfaction with services. The Council would need to have in place additional resources to analyse the surveys if these are implemented after each complaint investigation.</p>
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## Section 2 – Accessibility and awareness

### Mandatory 'must' requirements

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, 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	<p>The Council's preferred method of contact is via our online complaints form. We encourage customers to use this form to submit their complaints as this is the most efficient method of contact and allows us to communicate with customers in a secure way.</p> <p>We do not have a generic email account for complaints. However, although we do not actively advertise various methods for submission of complaints, we still process complaints that are received:</p> <ul style="list-style-type: none"> <li>- In writing by letter</li> <li>- Through third party complaints software such as Resolver</li> <li>- By email via the Chief Executive's Office, or via the Leader's Office;</li> <li>- By email to the Resolution Centre (<a href="mailto:Wfdirect@walthamforest.gov.uk">Wfdirect@walthamforest.gov.uk</a>)</li> <li>- By email to the Information Officer (<a href="mailto:information.officer@walthamforest.gov.uk">information.officer@walthamforest.gov.uk</a>)</li> </ul> <p>We also sign post customer to seek assistance from our libraries service for support with completing the online form and the Resolution Centre can take complaints over the phone.</p>

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	Our complaints procedure is currently published at <a href="https://www.walthamforest.gov.uk/council-and-elections/making-complaint-compliment-or-claim/complaints-and-compliments">https://www.walthamforest.gov.uk/council-and-elections/making-complaint-compliment-or-claim/complaints-and-compliments</a> . It includes information about the stages and the timescales for acknowledging and responding to complaints.
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	Our complaints procedure is currently published at <a href="https://www.walthamforest.gov.uk/council-and-elections/making-complaint-compliment-or-claim/complaints-and-compliments">https://www.walthamforest.gov.uk/council-and-elections/making-complaint-compliment-or-claim/complaints-and-compliments</a> . A search using the term 'complaints' provides a link to this webpage.
2.5	Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs.  Landlords must satisfy themselves that their policy sets out how they will respond to reasonable adjustments requests in line with the Equality Act and that complaints handlers have had appropriate training to deal with such requests.	Yes	Although we do not publish information about this on our website, our procedure is flexible and allows us to adapt to customer's needs. A new section has been included in our complaints procedure, stating:  <i>Under the Equality Act 2010, the Council has a duty to adapt normal policies, procedures, or processes to accommodate an individual's needs. We should therefore be prepared to make reasonable adjustments requested by the customer when dealing with complaints. For example, this could include sending a response to a specific email address; or sending the response by printed letter; or sending the response in large print.</i>
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.	No	Our complaints procedure is publicised on our website at <a href="https://www.walthamforest.gov.uk/council-and-elections/making-complaint-compliment-or-claim/complaints-and-compliments">https://www.walthamforest.gov.uk/council-and-elections/making-complaint-compliment-or-claim/complaints-and-compliments</a>  Due to the costs involved, we no longer publish posters or leaflets. Our website includes information and links regarding escalation of complaints to the Housing Ombudsman Service and to the Local Government & Social Care Ombudsman.

2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	When a complaint is responded to at the final stage of our complaints procedure, we provide information to the complainant about how they can escalate their complaint to the appropriate ombudsman service. Information is also available on our website at <a href="https://www.walthamforest.gov.uk/council-and-elections/making-complaint-compliment-or-claim/complaints-and-compliments">https://www.walthamforest.gov.uk/council-and-elections/making-complaint-compliment-or-claim/complaints-and-compliments</a>
2.8	Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted.	Yes	We provide this information on our website at <a href="https://www.walthamforest.gov.uk/council-and-elections/making-complaint-compliment-or-claim/complaints-and-compliments">https://www.walthamforest.gov.uk/council-and-elections/making-complaint-compliment-or-claim/complaints-and-compliments</a>  Additionally, we provide information when we acknowledge complaints at Stage 2 of our complaints procedure, where we advise customers that they will be given information about escalation to the appropriate ombudsman service if they remain dissatisfied with the Council's response.

## Section 2 – Accessibility and awareness

### *Best practice 'should' requirements*

2.2	Where a landlord has set up channels to communicate with its residents via social media, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.	Yes	Our usual practice is to signpost customers to our website so that they can submit their complaint using our online form. Social media does not provide the necessary privacy and confidentiality for complaint handling.
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### Section 3 – Complaint handling personnel

#### Mandatory 'must' requirements

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, 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	Under our procedure, complaints at Stage 1 are dealt with by the service area who is responsible for providing the service. The Head of Service has responsibility for reviewing and signing off on Stage 1 responses. We have a corporate Complaints Team whose staff have responsibility for processing all complaints received, and responsibility for investigating and responding to complaints at Stage 2 of our complaints procedure on behalf of the Council's Chief Executive.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	Service Areas are expected to be objective when dealing with Stage 1 complaints. We expect that Stage 1 complaint responses are signed off by the Head of Service or a Senior Officer appointed by the Head of Service to deal with the complaint. Our complaints procedure states that a person who has been complained about should not investigate or respond to that complaint. Stage 2 complaints are dealt with by the corporate Complaints Team on behalf of the Chief Executive of the Council.

### Section 3 – Complaint handling personnel

*Best practice 'should' requirements*

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, explanations
3.3	Complaint handlers should: <ul style="list-style-type: none"> <li>• Be able to act sensitively and fairly</li> <li>• Be trained to handle complaints and deal with distressed and upset residents</li> <li>• Have access to staff at all levels to facilitate quick resolution of complaints</li> <li>• Have the authority and autonomy to act to resolve disputes quickly and fairly.</li> </ul>	Yes	Staff are expected to provide good service in line with our customer service standards. Stage 1 investigations of complaints should be overseen by Heads of Service who have the authority to make decisions to resolve complaints. Officers who deal with Stage 2 complaints have access to heads of service, senior management and directors when their intervention is required to resolve complaints.

## Section 4 – Complaint handling principles

### Mandatory 'must' requirements

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, 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	We do not have a pre-complaint stage in our procedure. If the customer reports an issue for the first time, we might treat it as a service request, but this is usually done through communication with the customer. When a customer logs a complaint online, they receive an automated acknowledgement. If there is no email set up for the customer, acknowledgements are usually printed and posted no later than 3 working days. If action is needed to resolve the complaint while an investigation is ongoing, that action can continue.
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.	No	It is not possible to do this given the volume of complaints we receive. For customers who have access to our online portal, which is open and free to everyone, the complainant can access the record of their complaint at any time. We send automated acknowledgements to our customers, which are pre-set in a template. We do not have the option to change the template before it is issued to the complainant.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	Service Areas are expected to be objective when dealing with Stage 1 complaints. Stage 2 complaints are dealt with by the corporate Complaints Team on behalf of the Chief Executive of the Council.

4.7	<p>The complaint handler must:</p> <ul style="list-style-type: none"> <li>• Deal with complaints on their merits</li> <li>• Act independently and have an open mind</li> <li>• Take measures to address any actual or perceived conflict of interest</li> <li>• Consider all information and evidence carefully</li> <li>• Keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.</li> </ul>	Yes	<p>Service Areas are expected to be objective when dealing with Stage 1 complaints. Heads of Service have responsibility for taking corrective action when service failures or administrative faults are identified. Stage 2 complaints are dealt with by the corporate Complaints Team on behalf of the Chief Executive of the Council. Investigations are conducted on factual information. Information about the complaint is shared with those who need to be informed about it.</p>
4.11	<p>Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication.</p>	Yes	<p>Customers are advised at the outset of the timescales we have in place for the investigation of complaints. When we are unable to meet deadlines, we would usually send a holding reply. If a customer asks us about progress of an investigation, we provide an update.</p>
4.12	<p>The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:</p> <ul style="list-style-type: none"> <li>• Set out their position</li> <li>• Comment on any adverse findings before a final decision is made.</li> </ul>	No	<p>When appropriate to do so, statements are sought from officers who are named in a complaint. When it is found that an officer has not acted appropriately, it is for the head of service or line manager to decide on whether action needs to be taken against the officer. Due to the volume of complaints we handle, it is not possible to send a draft decision to the complainant before a final response is issued. If the complainant disagrees with the outcome of their complaint at Stage 1, they can escalate their complaint to Stage 2. If they remain dissatisfied with the outcome of their complaint at Stage 2, they can escalate the complaint to the relevant ombudsman service.</p>
4.13	<p>A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint.</p>	Yes	<p>We do not publish an escalation timescale on our website. However, when we respond to complaints at Stage 1, we ask complainants to escalate their complaint within 28 days from receiving our Stage 1 response. When customers contact us after this timescale, we exercise discretion as and when necessary to waive this timescale and to allow the complaint to</p>

			proceed to the next stage of our complaints procedure.
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	It is our usual practice to allow a complaint to go through all stages of our complaints procedure. If we decline to accept a complaint at any stage of our procedure, we advise the complainant of the reason for this. The most common circumstance when we do not accept a complaint under our complaints procedure, is when the subject matter of the complaint is considered to be outside jurisdiction. When we make a decision to not accept a complaint or to not allow it to go through the complaints procedure, we provide an explanation of this to the complainant and advise them of their escalation rights to the ombudsmen services should they disagree with our position.
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	Information about the complaint investigation is held by the service areas or the complaints team depending on the stage of the complaint. This information is usually stored on shared drives, emails and service area databases. All complaints are recorded on our customer service portal, which hold information about both stages of the complaint and responses issued.
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	We have a Policy for Dealing with Unreasonable Behaviour, which includes sections about dealing with unreasonable complaints and complainants. This is published on our website.

## Section 4 – Complaint handling principles

*Best practice 'should' requirements*

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, explanations
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic.	Yes	This is done through the publication of our policies and procedures on the council's website. In respect of the matters that fall under the jurisdiction of the Housing Ombudsman Service, we publish information for council tenants at <a href="https://www.walthamforest.gov.uk/housing/council-tenants">https://www.walthamforest.gov.uk/housing/council-tenants</a>
4.4	A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the resident and whether there are any urgent actions required.	Yes	As much as possible and depending on the volumes of complaints received by the council, we endeavour to respond to complaints in a timely way and we encourage the practice of responding to complaints before the published deadline.
4.5	Landlords should give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord where this is reasonable.	Yes	Complainants can choose to have an advocate when making their complaint. There is allowance for this in our online form and we accept complaints made by third parties as long as they are able to provide written consent to show that they have authority to act on someone's behalf.
4.8	Where a key issue of a complaint relates to the parties' legal obligations landlords should clearly set out their understanding of the obligations of both parties.	Yes	When there is reference to a legal process ongoing during the investigation of a complaint, information and advice is sought from legal services. It is our usual practice to stop a complaint investigation when there is an ongoing legal process, in line with the exceptions we publish on our website.

4.9	Communication with the resident should not generally identify individual members of staff or contractors.	No	When members of staff or contractors are mentioned, this is done to provide context and clear information to complainants, particularly if members of staff and contractors are named in their complaint. When a complaint is concluded and a decision made, it is our practice to assume collective responsibility rather than blaming a specific person or contractor.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	No	Customers are advised at the outset of the timescales we have in place for the investigation of complaints. When we are unable to meet deadlines, we would usually send a holding reply. If a customer asks about progress of an investigation, we provide an update. Operationally, due to the volume of complaints received, it is not possible to provide regular updates to complainants unless they ask.
4.16	Landlords should seek feedback from residents in relation to the landlord's complaint handling as part of the drive to encourage a positive complaint and learning culture.	No	We do not routinely send out customer service questionnaires following complaint investigations. Customer satisfaction surveys are regularly carried out by the council.
4.17	Landlords should recognise the impact that being complained about can have on future service delivery. Landlords should ensure that staff are supported and engaged in the complaints process, including the learning that can be gained.	Yes	Staff who deal with complaints are encouraged to familiarise themselves with the complaints procedure, which is available on our intranet. When necessary, support can be obtained from the corporate complaints team in respect of complaint investigations.
4.19	Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.	Yes	Our Policy for Dealing with Unreasonable Behaviour states: <i>When implementing this policy, the Council will have regard to the Equality Act 2010 and show due regard to an individual's medical condition or vulnerability such as mental health and learning disabilities, as and when applicable. Any restrictions imposed on a customer's contact will recognise and be appropriate to the individual's circumstances.</i>

## Section 5 – Complaint stages

### Mandatory 'must' requirements

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, explanations
<b>Stage 1 complaints</b>			
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.	No	Under our long-established complaints procedure, Stage 1 complaints have a response timescale of 20 working days from the date of receipt. This timescale applies to all Stage 1 complaints dealt with under the corporate complaints procedure. If we implemented a 10-day timescale solely for complaints that fall under the jurisdiction of the Housing Ombudsman Service, this would create inequality for complainants whose complaints fall under the jurisdiction of the Local Government & Social Care Ombudsman. We used to have a 10-day timescale for complaints in the past, where the subject matter would have fallen under the jurisdiction of the Housing Ombudsman Service. However, this resulted in complaints not being responded to adequately at Stage 1, creating unnecessary escalations and not resolving issues at the earliest opportunity.
5.5	A complaint response must be sent to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident.	Yes	As much as possible and depending on the volumes of complaints received by the council, we endeavour to respond to complaints in a timely way and we encourage the practice of responding to complaints before the published deadline. Whenever possible, we provide complainants with information about when outstanding actions will be taken.



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 internal guidance for complaints handling includes this.
5.8	Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: <ul style="list-style-type: none"> <li>• The complaint stage</li> <li>• The decision on the complaint</li> <li>• The reasons for any decisions made</li> <li>• The details of any remedy offered to put things right</li> <li>• Details of any outstanding actions</li> <li>• Details of how to escalate the matter to stage two if the resident is not satisfied with the answer</li> </ul>	Yes	Our internal guidance and Stage 1 response template include this.
<b>Stage 2 complaints</b>			
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two of the landlord's procedure unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.	Yes	Once a Stage 1 investigation is concluded, the Stage 1 response letter will include information about how the complainant can escalate their complaint to Stage 2. We ask complainants to set out their reasons for requesting a Stage 2 investigation of their complaint. When we cannot accept a Stage 2 complaint or consider it to be outside jurisdiction, we advise the complainant in writing and advise them of their right to escalate the complaint to the relevant ombudsman service.
5.10	On receipt of the escalation request, landlords must set out their understanding of issues outstanding and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	No	Our complaints form gives the customer the opportunity of setting out the details of their complaint and to provide supporting documents. When the complaint is not sufficiently clear, we seek clarification from the complainant, usually by emailing them so that we have an audit trail of the issues they have raised with us. Operationally, due to the volume of complaints received, it is not possible to set out a written understanding for each complaint received at point of receipt.

5.11	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.	Yes	Unless there are exceptional circumstances, it is our usual practice to allow a Stage 1 investigation to be completed before escalating the complaint to Stage 2.
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	Stage 2 complaints are dealt with by the corporate complaints team on behalf of the Chief Executive.
5.13	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.	No	Our published timescale for investigating and responding to Stage 2 complaints is 25 working days. This applies to all complaints that we deal with at Stage 2, not solely those that fall within the jurisdiction of the Housing Ombudsman Service. If we were to apply a 20-day timescale to some of the complaints but not all, that would create inequality for our complainants.
5.16	<p>Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:</p> <ul style="list-style-type: none"> <li>• The complaint stage</li> <li>• The complaint definition</li> <li>• The decision on the complaint</li> <li>• The reasons for any decisions made</li> <li>• The details of any remedy offered to put things right</li> <li>• Details of any outstanding actions, and</li> <li>• If the landlord has a third stage, details of how to escalate the matter to stage three</li> <li>• If this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.</li> </ul>	Yes	We use an established response template to respond to Stage 2 complaints and which includes all this information.

Stage 3 complaints			
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.	N/A	Not applicable – we do not have a third stage in our complaints procedure.
5.20	Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language: <ul style="list-style-type: none"> <li>• The complaint stage</li> <li>• The complaint definition</li> <li>• The decision on the complaint</li> <li>• The reasons for any decisions made</li> <li>• The details of any remedy offered to put things right</li> <li>• Details of any outstanding actions</li> <li>• Details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied</li> </ul>	N/A	Not applicable – we do not have a third stage in our complaints procedure.

## Section 5 – Complaint stages

Best practice 'should' requirements

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, explanations
<b>Stage 1 complaints</b>			
5.2	If an extension beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	No	We send holding replies to complainants when we are unable to meet the published timescale and we endeavour to meet the extended deadlines. Operationally, it is not always possible to agree on an extended deadline.
5.3	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	Yes	If we are unable to meet the extended deadline and the complainant expresses dissatisfaction with this, we sign-post them to the relevant ombudsmen services.
5.4	Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident.	Yes	Usually, investigations will be based on events that have happened over a period of 12 months before the date the complaint was made. If the complainant mentions historical issues, and when it is necessary to do so, we use our discretion to review historic information, in order to carry out a thorough investigation.
5.7	Where residents raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been	Yes	We allow additional issues into a complaint investigation, as long as those issues are related to those that are already under investigation. Any new issues are treated as a new complaint.

	issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.		
<b>Stage 2 complaints</b>			
5.14	If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	No	We send holding replies to complainants when we are unable to meet the published timescale and we endeavour to meet the extended deadlines. Operationally, it is not always possible to agree on an extended deadline.
5.15	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response	Yes	If we are unable to meet the extended deadline and the complainant expresses dissatisfaction with this, we sign-post them to the relevant ombudsmen services.
<b>Stage 3 complaints</b>			
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint 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.	N/A	Not applicable – we do not have a third stage in our complaints procedure.
5.19	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	N/A	Not applicable – we do not have a third stage in our complaints procedure.

## Section 6 – Putting things right

### Mandatory 'must' requirements

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, 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 complaints procedure encourages the use of action plans to identify where service failures have occurred and what action will be taken to put things right.
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	Remedies offered are in line with our compensation policy.
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	Service Areas are expected to take appropriate and timely action to ensure that remedies promised after a complaint investigation are completed. Information is provided in our complaint responses when monetary compensation is offered, setting out the amount and the reason why the compensation is offered.
6.6	In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused.	Yes	These aspects are covered in our compensation policy.

## Section 6 – Putting things right

*Best practice 'should' requirements*

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, explanations
6.3	Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.	Yes	When investigating Stage 1 complaints, service areas are expected to review whether there are any systemic issues that need to be addressed. When complaints are investigated at Stage 2, complaints officers make recommendations to the service areas for service improvement where failures are identified.
6.7	In some cases, a resident may have a legal entitlement to redress. The landlord should still offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.	Yes	When necessary and appropriate to do so, legal advice is sought.

## Section 7 – Continuous learning and improvement

### *Mandatory 'must' requirements*

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, 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	An annual report on complaints is presented to Audit & Governance Committee, and this includes information about learning from complaints and service improvements implemented as a result of recommendations from the ombudsmen services. This is available on our website.

## Section 7 – Continuous learning and improvement

### *Best practice 'should' requirements*

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, explanations
7.3	A member of the governing body should be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This role will be responsible for ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance.	Yes	Complaints handling within the Council is reviewed by Governance Board and by the Audit & Governance Committee. There are other committees within the council who scrutinise the Council's activities, and scrutiny meetings include reviews of complaints that fall within the jurisdiction of that committee.



<p>7.4</p>	<p>As a minimum, governing bodies should receive:</p> <ul style="list-style-type: none"> <li>• Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman’s orders</li> <li>• Regular reviews of issues and trends arising from complaint handling</li> <li>• The annual performance report produced by the Ombudsman, where applicable</li> <li>• 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.</li> <li>• The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.</li> </ul>	<p>Yes</p>	<p>Complaints handling within the Council is reviewed by Governance Board and by the Audit &amp; Governance Committee. There are other committees within the council who scrutinise the Council’s activities, and scrutiny meetings include reviews of complaints that fall within the jurisdiction of that committee. When a finding of maladministration is made by the ombudsmen services, our complaints procedure provides for disclosure and reporting of that finding to the Chief Executive and senior directors, and to Audit &amp; Governance Committee.</p>
<p>7.5</p>	<p>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.</p>	<p>Yes</p>	<p>Information about complaints is available to senior management on request. When complaint investigations are concluded, particularly at Stage 2 of the complaints procedure, recommendations are made which could include requests for reviews of procedures. These are usually brought to the attention of Heads of Service and/or directors.</p>
<p>7.6</p>	<p>Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:</p> <ul style="list-style-type: none"> <li>• Have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments</li> <li>• Take collective responsibility for any shortfalls identified through complaints rather than blaming others</li> <li>• Act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing.</li> </ul>	<p>Yes</p>	<p>We have a long-established corporate complaints procedure which covers a wide range of service issues, not solely those that are within the jurisdiction of the Housing Ombudsman Service. The procedure, associated guidance, associated policies and templates, are available for all staff on our intranet. It is a matter for line managers to prepare objectives for their staff, which could include an objective regarding complaints handling.</p>

## Section 8 – Self-assessment and compliance

### Mandatory ‘must’ requirements

HOS complaints handling code Section reference	Code Requirement	Does LBWF comply (Yes/No)	Evidence, commentary, 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	This document is the result of the self-assessment being carried out in 2022.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	We aim to review our complaints procedure annually. Any review will take into account any structural changes within the organisation and revised procedures.
8.3	<p>Following each self-assessment, a landlord must:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• Publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents</li> <li>• Include the self-assessment in their annual report section on complaints handling performance</li> </ul>	Yes	A report will be submitted to Governance Board. This form is published on the complaints page on our website.