

Eden Housing Association's (EHA) compliance with the Housing Ombudsman's Complaint Handling Code (CHC) - self-assessment December 2020

This self-assessment sets out how the current processes Eden Housing Association have in place to deal with complaints comply with the code.

KEY

YES

Complies with the new Complaint Handling Code

PARTIALLY

Partially complies with the new Complaint Handling Code – but requires work to update and strengthen

NO

Does not comply with the Complaint Handling Code and requires new processes to be developed

We will use this self-assessment as an action plan to evidence that all of the required changes have been implemented (as required by the Housing Ombudsman) by 31st March 2021.

Definition of Complaint				
1.0	<i>Does the Complaints process use the following definition of a complaint?</i>	Yes	Partially	No
	<i>An expression of dissatisfaction, however made, about the standard of service, actions or lack action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or a group of residents.</i>			
If Yes: How does EHA comply with the code? <u>N/A</u>				
If Partially: What is currently in place and what additions are required to ensure compliance? <u>N/A</u>				
If No: What action is required to ensure compliance?				
The Ombudsman's prescribed definition (as above) will be added into EHA's complaints policy and procedure.				

Actions Completed:		Date:		
1.1	<i>Does the policy have exclusions where a complaint will not be considered?</i>	Yes	Partially	No
If Yes: How does EHA comply with the code? <u>N/A</u>				
If Partially: What is currently in place and what additions are required to ensure compliance?				
<p>Within the current policy and procedure we make reference to some issues which are not defined as complaints and are likely to be excluded from the complaints process, for example:</p> <ul style="list-style-type: none"> • Criticism of individual employees which arise directly from the customer's dissatisfaction with an Association policy or decision, and where no other basis for the complaint exists. • A disagreement with, or refusal to accept, a rule of law, which the Association is applying (unless the complaint relates specifically to the way the matter has been dealt with). <p>In an attempt to provide clarity for our customers a section specifically relating to <u>Exclusions</u> will be added into our policy and procedure, merging what we already have with the following (as prescribed by the Ombudsman).</p> <ul style="list-style-type: none"> • The issue is, or has been, subject to legal proceedings • Liability issue that is subject to an insurance claim (although any other elements of the complaint should still be considered through the complaints procedure) • The complaint has not been raised within a reasonable timeframe • The complaint has been raised already • The complaint is being pursued in an unreasonable manner 				
If No: What action is required to ensure compliance? <u>N/A</u>				
<i>Are these exclusions reasonable and fair to residents?</i>				

Yes, we feel these exclusions are reasonable and fair. Whilst considering when it would be appropriate to exclude a formal complaint we engaged with

- EHA’s Tenants Scrutiny Panel
- The Housing Ombudsman
- Other Housing Association’s to review good practice

The decision to exclude a formal complaint will be made by a senior officer within the association following the guidelines set out within the policy and procedure. The senior officer will always consider the full facts provided by the complainant and will not apply a “one size fits all approach” when making their decision. If the decision is made to exclude a complaint, the complainant will be provided with full details of how and why this decision has been reached.

To date EHA have no record of excluding a formal complaint.

Actions Completed:	Date:
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Accessibility

2.0	<i>Are multiple accessibility routes available for residents to make a complaint?</i>	Yes	Partially	No
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If Yes: How does EHA comply with the code?

In order to encourage feedback from our residents we recognise that we must not put barriers in their way. Residents are able to make complaints and provide feedback in a number of ways for example:

- Telephone
- Letter
- E-mail
- Website
- Social Media
- Online self-service portal

<ul style="list-style-type: none"> In person 				
If Partially: What is currently in place and what additions are required to ensure compliance? <u>N/A</u>				
If No: What action is required to ensure compliance? <u>N/A</u>				
No Further Action Required:			Date: Dec 2020	
2.1	<i>Is the complaints Policy and Procedure available online?</i>	Yes	Partially	No
If Yes: How does EHA comply with the code? The policy and service standard are available on our website, however we feel these documents could be strengthened by incorporating a flowchart which clearly sets out the journey (including timescales) from the point the complaint is raised to resolution				
If Partially: What is currently in place and what additions are required to ensure compliance? <u>N/A</u>				
If No: What action is required to ensure compliance? <u>N/A</u>				
Actions Completed:			Date:	
2.2	<i>Do we have a Reasonable Adjustments Policy</i>	Yes	Partially	No
If Yes: How does EHA comply with the code? <u>N/A</u>				
If Partially: What is currently in place and what additions are required to ensure compliance? Reference to reasonable adjustments is made in several policies. In order to strengthen our position we will add an explicit section about reasonable adjustments to our Equality & Diversity Policy.				
If No: What action is required to ensure compliance? <u>N/A</u>				

Actions Completed :		Date:		
2.4	<i>Do we regularly advise residents about our complaints process?</i>	Yes	Partially	No
<p>If Yes: How does EHA comply with the code?</p> <p>Yes, we regularly advise residents of our complaints process and use the following platforms to do this: (this list is not exhaustive):</p> <ul style="list-style-type: none"> • Whilst corresponding with our residents on a daily basis, either in person, over the phone, letter or email. This could be while they are an applicant, during the sign up process, throughout the life of their tenancy or as a former tenant • In every edition of our newsletter Viewpoint (currently 4 times per year) • On our website • In the public areas of our premises 				
<p>If Partially: What is currently in place and what additions are required to ensure compliance? <u>N/A</u></p>				
<p>If No: What action is required to ensure compliance? <u>N/A</u></p>				
No Further Action Required:		Date: Dec 2020		
Complaints Team and Process				
3.0	<i>Is there a complaint officer or equivalent post?</i>	Yes	Partially	No
<p>If Yes: How does EHA comply with the code?</p> <p>Senior members of staff within the associations management team deal with all formal complaints.</p> <ul style="list-style-type: none"> • Stage 1 Formal Complaints are dealt with by a Manager • Stage 2 Formal Complaints are dealt with by a Director or the Chief Executive (if the complaint relates to the director). <p>The code confirms that the above structure is acceptable.</p>				

We currently have a third stage in our formal complaints process, which are dealt with by a Board Member Panel. Following guidance within the code this stage will be removed and our policy and procedure updated to reflect this change. (This action is picked up in section 3.3).

If Partially: What is currently in place and what additions are required to ensure compliance? N/A

If No: What action is required to ensure compliance? N/A

Actions Completed:		Date:		
3.1	<i>Does the complaint officer have autonomy to resolve complaints?</i>	Yes	Partially	No

If Yes: How does EHA comply with the code?

The manager dealing with the formal complaint has the autonomy to make decisions within their area of responsibility and acting within their delegated authorities.

If Partially: What is currently in place and what additions are required to ensure compliance? N/A

If No: What action is required to ensure compliance? N/A

No Further Action Required:		Date: Dec 2020		
3.2	<i>Does the complaint officer have authority to compel engagement from other departments to resolve disputes?</i>	Yes	Partially	No

If Yes: How does EHA comply with the code?

Whilst dealing with a formal complaint the investigating officer has the authority to request information from or to arrange a meeting/interview with any colleagues they deem appropriate to assist with their investigations. Colleagues are aware that there is a timescale to meet when dealing with formal complaints, therefore will always assign these requests a high priority.

If Partially: What is currently in place and what additions are required to ensure compliance? <u>N/A</u>			
If No: What action is required to ensure compliance? <u>N/A</u>			
No Further Action Required:			Date: Dec 2020
3.3	<i>If there is a third stage to the complaints procedure, are residents involved in the decision making?</i>	Yes	Partially
If Yes: How does EHA comply with the code? <u>N/A</u>			
If Partially: What is currently in place and what additions are required to ensure compliance? Within EHA's current policy and procedure we have a third stage which requires 3 Board Members to investigate the complaint. Where possible we aim to ensure that Tenant Board Member is included within the panel. As detailed within the Complaints Handling Code, the Ombudsman does not believe that a third stage is necessary. It is felt that a third stage prolongs the process unnecessarily for the resident. After seeking advice and guidance from our Tenants Scrutiny Panel and the Ombudsman, it has been agreed that Stage 3 will be removed from our process.			
If No: What action is required to ensure compliance? <u>N/A</u>			
Actions Completed:			Date:
3.4	<i>Is any third stage optional for residents?</i>	Yes	No
If Yes: As detailed in (3.3) our current policy and procedure includes Stage 3 however this will be removed and our policy and procedure updated to reflect this.			
Action Required:			Date:

3.5	Does the final stage response set out residents' right to refer the matter to the Housing Ombudsman Service?	Yes	Partially	No
<p>If Yes: How does EHA comply with the code?</p> <p>When the Stage 3 Formal Complaint is logged an acknowledgement letter is sent to the complainant. This letter clearly confirms how we will deal with the complaint, in addition it also goes on to explain the next stages for the complainant if they are dissatisfied with the response (this includes information on the appointment of a Designated Person or a referral to the Housing Ombudsman).</p> <p>When the Stage 3 Formal Complaint response is produced, the following information is included: <i>Should you remain dissatisfied with the process Eden Housing Association has followed, you can approach a designated person who could be an MP, Local Councillor or Tenant Panel. Their role is to help resolve disputes between tenants and their landlords. If they cannot assist the complaint can be referred to the Housing Ombudsman. Alternatively, you can refer directly to the Housing Ombudsman once 8 weeks has elapsed from the closure of the Stage 3 complaint. More information can be obtained from www.housing-ombudsman.org.uk</i></p> <p>When Stage 3 of the process is removed from the current policy and procedure details of the “right to refer the matter to the Housing Ombudsman Service” will be included within the Stage 2 response (as this will become the final stage response).</p>				
<p>If Partially: What is currently in place and what additions are required to ensure compliance? <u>N/A</u></p>				
<p>If No: What action is required to ensure compliance? <u>N/A</u></p>				
<p>No Further Action Required:</p>		<p>Date: Dec 2020</p>		
3.7	Do we keep a record of complaint correspondence including correspondence from the resident?	Yes	Partially	No
<p>If Yes: How does EHA comply with the code?</p> <p>Yes, we use the Feedback Manager module of our Housing Management System to log, manage and store full details of all formal complaints. All data is stored and managed in line with EHA’s Data Retention Policy.</p>				

If Partially: What is currently in place and what additions are required to ensure compliance? <u>N/A</u>			
If No: What action is required to ensure compliance? <u>N/A</u>			
No Further Action Required:			Date: Dec 2020
At what stage are most complaints resolved?			
The majority of our complaints are dealt with at Stage 1 (91%).			
Communication			
4.0	<i>Are residents kept informed and updated during the complaints process?</i>	Yes	Partially
If Yes: How does EHA comply with the code? <u>N/A</u>			
If Partially: What is currently in place and what additions are required to ensure compliance?			
At present whilst dealing with a formal complaint the investigating officer will contact the complainant if necessary to discuss the issues raised or to obtain more information. In addition, if the investigating officer is unable to resolve the complaint within the timeframe set we will contact the complainant to make them aware of this, provide a reason for the delay and a revised response date.			
In an attempt to re-assure the complainant that we are dealing with their complaint our Tenants Scrutiny Panel have suggested that the complainant should be contacted at least once every 5 working days (whilst the complaint is live) providing an update on the progress to date. This could be via phone, letter, email or face to face. This recommendation is to be included within our policy and procedure.			
If No: What action is required to ensure compliance? <u>N/A</u>			

Actions Completed:		Date:		
4.1	<i>Are residents informed of the landlord's position and given a chance to respond and challenge any area of dispute before the final decision?</i>	Yes	Partially	No
If Yes: How does EHA comply with the code? <u>N/A</u>				
If Partially: What is currently in place and what additions are required to ensure compliance? As detailed in (4.0) the investigating officer <u>may</u> be in contact with the complainant whilst the complaint is live. This contact can be used as an opportunity to provide the complainant with an update, obtain additional information or for the complainant to respond/challenge prior to a final decision being made, however the current policy and procedure does not stipulate that contact should be made. Going forward the policy and procedure will be updated to include contact with the complainant every 5 working days whilst the complaint is live, this will give the complainant more opportunity to respond and challenge any decisions prior to the final response being produced.				
If No: What action is required to ensure compliance? <u>N/A</u>				
Actions Completed:		Date:		
4.2	<i>Are all complaints acknowledged and logged within five days?</i>	Yes	Partially	No
If Yes: How does EHA comply with the code? Yes, an acknowledgement letter is sent to the complainant the day it is logged. The acknowledgement letter includes the complaint reference number, name of the investigating officer and timescale for a response. This letter can be sent via the post, emailed or hand delivered.				
If Partially: What is currently in place and what additions are required to ensure compliance? <u>N/A</u>				

If No: What action is required to ensure compliance? <u>N/A</u>			
No Further Action Required:			Date: Dec 2020
4.3	<i>Are residents advised of how to escalate at the end of each stage?</i>	Yes	Partially No
If Yes: How does EHA comply with the code? Yes, details of how to escalate the complaint are included within all acknowledgement and response letters at each stage of the process.			
If Partially: What is currently in place and what additions are required to ensure compliance? <u>N/A</u>			
If No: What action is required to ensure compliance? <u>N/A</u>			
No Further Action Required:			Date: Dec 2020
4.4	<i>What proportion of complaints are resolved at stage one?</i>		
Data taken from April 2019 to Dec 2020 - during this period 44 formal complaints were logged, 40 were resolved at Stage 1 and 4 escalated to Stage 2. <ul style="list-style-type: none"> 40 (91%) of formal complaints were resolved at Stage 1. 			
4.5 <i>What proportion of complaints are resolved at stage two?</i>			
Data taken from April 2019 to Dec 2020 - during this period 4 complaints were escalated to Stage 2, 3 were resolved at Stage 2 and 1 was escalated and resolved at Stage 3. <ul style="list-style-type: none"> 3) of 4 formal complaints were resolved at Stage 2 (7% of all or 75% of stage 2) 			

- 1 of 4 formal complaint was escalated and resolved at Stage 3 (2% of all or 25% of stage 2)

Going forward our process will consist of Stage 1 and Stage 2 only.

4.6 What proportion of complaint responses are sent within Code Timescales?

At present our response timescales are as follows:

- **Stage 1** = 15 working days with 82% of responses sent within this timescale
- **Stage 1 (with a customer informed extension)** = 18% of responses were extended
- **Stage 2** = 10 working days with 50% of responses sent within this timescale
- **Stage 2 (with a customer informed extension)** = 50% of responses were extended
- **Stage 3** = 28 working days with 100% of responses were sent within this timescale

The Complaint Handling Code prescribes that the following timescales should be used, EHA’s policy and procedure will be updated to incorporate the new timescales.

The following demonstrates the new timescales and our response timescales had we been working to them.

- **Stage 1** (10 working days) = 78% of responses would have been sent within this timescale
- **Stage 1 (with an extension)** = 22% of responses would of have required an extension
- **Stage 2** (20 working days) = 100% of responses would have been sent within this timescale.
- **Stage 2 (with an extension)** = No extensions would have been required

4.6 Where timescales have been extended did we have good reason?

Yes	No
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The following have been recorded as valid reasons for an extension:

- A home/site visit has been arranged but could not take place until after the set response timescale due to the availability of the customer/member of staff
- Awaiting information from a third party to assist with the investigations
- Awaiting information from the customer to assist with the investigations
- Illness or an unexpected circumstance preventing the investigation from taking place, (this could either be the complainant, member of staff or a third party)

4.7 Where timescales have been extended did we keep the resident informed?

Yes

No

If we need to extend a timescale the complainant will either be sent a letter, email or receive a phone call to apologise for the delay, in addition we will provide reasons for the extension and a revised response date. Full details will be logged against the individual complaint on Feedback Manager.

4.8 What proportion of complaints do we resolve to residents satisfaction?

Within each response letter we give the complainant the opportunity to escalate their complaint if they remain dissatisfied. The responses include the following information:

If after receiving our response, you remain dissatisfied we will ask you confirm the following and escalate your complaint to the next stage:

- *What you remain dissatisfied with*
- *What action you feel we could take to resolve the complaint to your satisfaction*
- *What additional information can you provide to support your complaint*

From the complaints logged:

- 44 (91%) were resolved to the complainants satisfaction at Stage 1

- 3 (7%) were resolved to the complainants satisfaction at Stage 1
- 1 (2%) formal complaint was escalated and resolved at Stage 3

Co-operation with the Housing Ombudsman Service

5.0 Were all requests for evidence responded to within 15 working days?

Yes

No

Whenever we have been asked to provide the Ombudsman with any information, it has always been supplied within the required timescale.

Where the timescale was extended did we keep the Ombudsman informed?

Yes

No

N/A

Fairness in Complaint Handling

6.0 Are residents able to complain via a representative throughout?

Yes

No

We will accept complaints from family members, local councilors or any other advocate acting in the best interests of our residents (providing they are authorised by the resident to do so).

If advice was given, was this accurate and easy to understand?

Yes

No

If the resident or advocate require assistance to use our service, we will do everything we reasonably can to assist them by:

- Providing advice and assistance about the process
- Providing information in other formats such as large print, braille and other languages
- Providing an interpreter
- Providing a same sex interview.

How many complaints did we refuse to escalate?

To date we have not refused to escalate any formal complaints.

What was the reason for refusal?

N/A

Did we explain our decision to the resident?

Yes

No

N/A

Outcomes and remedies

7.0 Where something has gone wrong are we taking appropriate steps to put things right?

Yes

No

Details of any learning points and/or actions that can be taken to prevent similar complaints in the future are all recorded against the complaint.

In addition manager of the service will:

- Ensure that the complainant is made aware of any learning points/actions following the complaint
- Discuss learning points/actions with staff/management team
- Discuss complaint trends on a quarterly basis with management team reporting to board when required
- Ensure learning points/actions are implemented
- Put an appropriate article on ERNIE (internal staff intranet) if relevant/appropriate
- Ensure that we monitor trends and action where appropriate

Continuous learning and improvement

8.0 What improvements have we made as a result of learning from complaints?

We have:

- Updated and strengthened several of our policies and procedures
- Met with contractors and implemented changes in the way they communicate with our customers
- Improved communication between EHA and our contractors
- Ceased using “blanket style letters” instead tailoring them to the individual needs of our residents
- Carried out a Complaints Handling refresher session with relevant staff (led by the Chief Executive and Customer Service Manager)
- Agreed to process void re-charges as soon as possible after the termination of tenancy
- Made reasonable adjustments to meet the individual needs of our customers

How do we share these lessons with:

A) *Residents?*

Updates are provided within each edition of our quarterly newsletter Viewpoint
Complainants are made aware of the learning outcomes within their complaint response

B) *The board/governing body?*

From January 2021 a summary of all complaints will be presented to Board as part of our quarterly tenant engagement report.

C) *In the Annual Report?*

We haven't recently included explicit lessons learnt from our complaints within our Annual Report but will ensure that this information is included from 2020 onwards.

Will the code make a difference to how we respond to complaints?

We already have a robust process in place for dealing with and responding to formal complaints, however recommendations from the code will see us encouraging challenge from our complainants at a much earlier stage. , The desired outcome of this will be

to allow us the opportunity to put things right much more swiftly, prevent ongoing dissatisfaction and the need to escalate, this will be a positive development for both the complainant and the association.

What changes will we make?

- Update our service standard to include a flowchart which clearly sets out the complaint journey (including timescales) from the point the complaint is raised to resolution
- We will make explicit reference to our approach to Reasonable Adjustments within our Equality and Diversity Policy.

We will update and strengthen our policy and procedure by amending, adding to or expanding the information already provided within the following areas:

- Updating the definition of a complaint
- Expanding on how we will deal with Formal Complaints received via Social Media
- Adding in a section on Exclusions
- Publicising access to the Housing Ombudsman Service at a much earlier stage. Not only at the point the complainant has exhausted our complaints process but throughout the life of the complaint, encouraging them to engage with the Ombudsman's dispute support advisors
- Amending the current response timescales:
 - Stage 1 will go from 15 to 10 working days
 - Stage 2 will go from 10 to 20 working days
- Removing Stage 3 of the Formal Complaints Process
- Introducing contact with the complainant every 5 working days whilst the complaint is live. Giving the complainant the opportunity to respond and challenge us prior to a final decision being made
- Strengthen how we continuously learn and improve from complaints
- Make reference to the Ombudsman's complaint handling failure and orders