Housing Ombudsman Service Complaint Handling Code Self-Assessment - January 2024

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Section 1 - Definition of a complaint

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.2	A complaint must be defined as:	Yes	This is defined in our internal Complaint Handling Manual.
	'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.		
1.3	The resident does not have to use the word 'complaint' for it to be treated as such. A complaint that is submitted via a third party or representative must still be handled in line with the landlord's complaints policy.	Yes	The word "complaint" does not have to be used. If a resident expresses dissatisfaction, inconvenience or distress this will be logged as a complaint. All customer facing staff undertake Complaint Handling training through our eleaning platform. This is designed to help our staff understand this concept.
1.6	if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.	Yes	If a contact is initially logged as a query but then requires further investigation or the resident expresses dissatisfaction this is then logged as a complaint.

1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	https://www.mccarthyandstone.co.uk/what- we-offer/services/advice-and- information/complaints-policy/
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	https://www.mccarthyandstone.co.uk/what- we-offer/services/advice-and- information/complaints-policy/
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	In the event of us not accepting a complaint a detailed explanation is provided to the customer setting out the reasons why the matter is not suitable for our complaints process. We also advise the customer of any applicable external escalation rights.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.4	Landlords should recognise the difference between a service request, where a resident may be unhappy with a situation that they wish to have rectified, and a complaint about the service they have/have not received.	Yes	General service requests are dealt with at a local level by our onsite or area management teams. Only if the resident is unhappy with the outcome of a service request would it be passed to our Customer Relations team and follow our Complaints process.
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	No	Resident surveys are carried out by an external partner and we take the feedback they provide very seriously.

how they can pursue their dissatisfaction as a complaint	Concerns directly raised during a survey
if they wish to.	are passed to our Customer Relations
	team to review and make contact where it
	is considered right to do so.

Section 2 - Accessibility and awareness Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.1	Landlords must make it easy for residents to complain by providing different channels through which residents can make a complaint such as in person, over the telephone, in writing, by email and digitally. While the Ombudsman recognises that it may not be feasible for a landlord to use all of the potential channels, there must be more than one route of access into the complaints system.	Yes	Residents, stakeholders and neighbours can contact us via phone, website, social media or email to express dissatisfaction. They are also able to raise a complaint face to face through one of our onsite House or Estate Managers.
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	https://www.mccarthyandstone.co.uk/what- we-offer/services/advice-and- information/complaints-policy/
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	https://www.mccarthyandstone.co.uk/what- we-offer/services/advice-and- information/complaints-policy/
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	Our complaints policy let's our customers know that we will make reasonable adjustments when requested. Equality, Diversity and Inclusion forms part of mandatory e-learning training for our complaint handlers.

2.6	Landlords must publicise the complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme in leaflets, posters, newsletters, online and as part of regular correspondence with residents.	Yes	Customers are provided with details of the Housing Ombudsman Scheme at the point of sale. The complaints policy, complaint handling code and details of the ombudsman scheme are available to our customers online via our website. Full details of the scheme and how it can assist customers is provided in our complaints policy and in our complaint response letters.
2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	No	We are in the process of looking at the options available to fulfil this requirement. Our self-assessment will be updated to reflect any changes made.
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	Our complaints policy details the customers right to seek support from the ombudsman.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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	Yes	

when a complaint is received via social media and how confidentiality and privacy will be maintained.	

Section 3 - Complaint handling personnel

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.1	Landlords must have a person or team assigned to take responsibility for complaint handling to ensure complaints receive the necessary attention, and that these are reported to the governing body. This Code will refer to that person or team as the "complaints officer".	Yes	Our Customer Engagement Director is a dedicated role with full responsibility for our complaint handling performance.
3.2	the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	We have a dedicated team of complaint handlers who are overseen by our Customer Engagement Director. This team is completely independent from our House and Estate teams ensuring there can be no conflicts of interest.
			We recruit our complaint handlers through a stringent competency-based recruitment process.
			Our performance management framework ensures the performance of our complaint handlers is reviewed on a regular basis.

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Code section	Code requirement	Comply:	Evidence, commentary and any
		Yes/No	explanations

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Section 4 - Complaint handling principles Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.1	Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord's audit trail/records should be able to demonstrate this. Landlords must ensure that efforts to resolve a resident's concerns do not obstruct access to the complaints procedure or result in any unreasonable delay. It is not appropriate to have extra named stages (such as 'stage 0' or 'pre-complaint stage') as this causes unnecessary confusion for residents. When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure within five days of receipt.	Yes	Our Complaints Policy has 2 stages. We acknowledge all complaints within 3 days of receipt.
4.2	Within the complaint acknowledgement, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	Yes	Our initial acknowledgement advises the resident of our process and timescales, our understanding of the complaint and the outcome the customer is expecting (if known).

			If any aspect of the complaint is unclear clarification and agreement is sought. Our complaints team are a dedicated
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	service. This team is completely independent from our House and Estate teams ensuring impartiality is maintained at all times.
4.7	 The complaint handler must: deal with complaints on their merits act independently and have an open mind take measures to address any actual or perceived conflict of interest consider all information and evidence carefully keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter. 	Yes	Our complaint handlers are trained and competent in the way they handle complaints. As per point 3.2 our internal audit process is designed to identify if there are any failings in this respect.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	Our Complaints team, overseen by our Customer Engagement Director, ensure that agreed arrangements are met.
4.12	The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to: set out their position comment on any adverse findings before a final decision is made.	Yes	During our complaint investigation the complaint handler will speak to all involved parties before a decision is made. Whenever possible any decision is discussed with the customer before the written response is sent.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	https://www.mccarthyandstone.co.uk/what- we-offer/services/advice-and- information/complaints-policy/

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	https://www.mccarthyandstone.co.uk/what- we-offer/services/advice-and- information/complaints-policy/
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	Full records are retained in our system.
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 Respectful Behaviour Policy.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic	Yes	
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	
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	

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	Our complaint handlers are supported by our legal department who provide support when appropriate to do so.
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	These are only identified in cases where it is appropriate to do so.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	We provide updates regularly and keep in contact with the resident throughout the complaint process.
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	
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	
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	We always seek to act in the best interest of our customers and will ensure any restrictions are appropriate to the customers' needs on a case-by-case basis.

Section 5 - Complaint stages

Mandatory 'must' requirements

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Code section	Code requirement	Comply:	Evidence, commentary and any	
		Yes/No	explanations	

5.1	Landlords must respond to the complaint within 10 working days of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	No	Our current service level is 15 days. We are working to reduce this to 10 days once we have adequate resource in place to meet this timescale.
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	We send a full response to the resident as soon as a resolution or decision is made. Where remedial actions are agreed these are tracked to their conclusion.
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 complaint handlers are highly trained to ensure the customer receives a full and complete response to their complaint.
5.8	Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: • the complaint stage • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions • details of how to escalate the matter to stage two if the resident is not satisfied with the answer	Yes	When appropriate our response letter includes the points listed.

Code section	Code requirement	Comply:	Evidence, commentary and any
		Yes/No	explanations

On receipt of the escalation request, landlords must set out		A contract of the contract of
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.	Yes	
Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.	Yes	
The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	Stage two complaints are reviewed by an independent senior manager.
Landlords must respond to the stage two complaint <u>within 20</u> <u>working days</u> 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.	Yes	https://www.mccarthyandstone.co.uk/what- we-offer/services/advice-and- information/complaints-policy/
Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language: the complaint stage	Yes	Where appropriate our response letter includes the points listed.
	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident. The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one. Landlords must respond to the stage two complaint within 20 working days of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason. Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident. The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one. Landlords must respond to the stage two complaint within 20 working days of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason. Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language: • the complaint stage

 the reasons for any decisions made the details of any remedy offered to put things right details of any outstanding actions
and if the landlord has a third stage, details of how to escalate
the matter to stage three if this was the final stage, details of how to escalate the
matter to the Housing Ombudsman Service if the resident remains dissatisfied.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.17	Two stage landlord complaint procedures are ideal. This ensures that the complaint process is not unduly long. If landlords strongly believe a third stage is necessary, they must set out their reasons for this as part of their self-assessment. A process with more than three stages is not acceptable under any circumstances.	Yes	We have a two stage complaints procedure.
5.20	Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language: the complaint stage the complaint definition the decision on the complaint the reasons for any decisions made the details of any remedy offered to put things right details of any outstanding actions details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied	N/A	

Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.2	If an extension beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	Yes	In these circumstances extended timescales are agreed with the resident.
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	
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	Previous complaint details are held on file and are reviewed as part of the investigation process.
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 issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.	Yes	This is considered and actioned on a case-by-case basis.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.14	If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	Yes	In these circumstances extended timescales are agreed with the resident.

5.15	Where agreement over an extension period cannot be reached,	Yes	
	landlords should provide the Housing Ombudsman's contact		
	details so the resident can challenge the landlord's plan for		
	responding and/or the proposed timeliness of a landlord's		
	response		

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.18	Complaints should only go to a third stage if the resident has 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	
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	

Section 6 - Putting things right

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.1	Effective dispute resolution requires a process designed to	Yes	Our complaint response advises the
	resolve complaints. Where something has gone wrong a		customer of the outcome of the
	landlord must acknowledge this and set out the actions it has		complaint, the reasons for any decisions
	already taken, or intends to take, to put things right.		made, details of any remedy offered to

			put things right and details of any actions taken or committed to be taken.
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	When considering how to put things right we will ensure the remedy offered reflects the extent of any and all service failures, and the level of detriment caused to the resident as a result. Factors we will consider when formulating a remedy can include, but are not limited to:
			 The length of time that a situation has been ongoing The frequency with which something has occurred The severity of any service failure or omission The number of different failures Cumulative impact on the resident A resident's particular circumstances or vulnerabilities
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	When offering a remedy we clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed is followed through to completion.
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	Fair consideration is given on a case by case basis.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any 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	We have management controls which allow us to ensure that when handling complaints we identify and remedy any recurring trends or systemic problems by: 1) Analysing the causes of individual complaints so as to identify root causes of common complaints 2) Considering whether such root causes may also affect other processes or products, including those not directly complained of 3) Correcting, where reasonable to do so, such root causes.
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	Our internal legal teams assist on a case-by-case basis.

Section 7 - Continuous learning and improvement

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.2	Accountability and transparency are integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints in their annual	No	We are currently working through ways to comply with this requirement.
	report and more frequently to their residents, staff and scrutiny panels.		Our self-assessment will be updated to reflect any changes made.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.3	A member of the governing body should be appointed to have 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.	No	
7.4	 As a minimum, governing bodies should receive: Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders Regular reviews of issues and trends arising from complaint handling, The annual performance report produced by the Ombudsman, where applicable Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge. 	No	We are in the process of designing an Oversight framework which will include a process whereby complaints data and ombudsman rulings are scrutinised at Executive and board level.
7.5	Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.	Yes	
7.6	 Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to: have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments take collective responsibility for any shortfalls identified through complaints rather than blaming others 	Yes	

act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing	
complaints as set by the Chartered Institute of Housing.	

Section 8 - Self-assessment and compliance Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
8.1	Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.	Yes	Our Customer Engagement Director will be responsible for completing the self-assessment on an annual basis.
			Our Governance and Compliance function will audit to ensure we remain compliant against the code requirements.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	Our business will comply with this requirement should such circumstances arise.
			Our Governance and Compliance function will audit this requirement periodically.
8.3	 Following each self-assessment, a landlord must: report the outcome of their self-assessment to their governing body. In the case of local authorities, self- 	Yes	The outcome of our self-assessment has been reported to our main board.
	assessment outcomes should be reported to elected members		The self-assessment is published on our website.
	 publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents include the self-assessment in their annual report section on complaints handling performance 		The annual report for 22-23 will detail where the self-assessment can be found.