

Appendix 1 - Housing Ombudsman - Self-Assessment Form September 2023

The Council's complaints policy and system can be found here: <https://www.chesterfield.gov.uk/home/about-this-website/contact-us/comments-compliments-and-complaints.aspx>

The suites of standard letter templates and responses are set out in **Appendix 1**.

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: <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>	Yes	The definition of a complaint in the Complaints Policy is: <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>
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	CBC has adopted the HOS definition of a complaint which does not require the word complaint to be used. As per the HOS best practice requirements set out in section 1.4, CBC recognises 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. Our policy states that we accept complaints made by advocates or a third party who are authorised to act on the complainants' behalf (e.g. councillors), and these will also be actioned in line with the Complaints Policy

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 an issue cannot be dealt with at the first point of contact or if a customer requests it and it meets the Complaints Policy then it is recorded as a Stage 1 complaint.
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	All complaints are accepted and investigated with exception of clear exclusions stated in the 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	The circumstances under which we will not consider as a complaint are clearly set out in the Complaints Policy and are fair and reasonable.
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	Reasons for not accepting a complaint are clearly set out in the Complaints Policy and these will be explained to the customer if a complaint is not accepted.

Best practice 'should' requirements

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	Service requests or situations as described by the Housing Ombudsman in 1.4 are either resolved at customer contact or are investigated and responded to by the relevant team.

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.	Partial	On completion of transactional surveys where responses are not anonymised feedback and complaints are fed back to the commissioning team. Respondents are contacted with the aim of dealing with the issues raised. Not known if advised can raise as a complaint.
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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	Customers can complain via: <ul style="list-style-type: none"> • Online form on the website • MyChesterfield account • By phone • By letter • Via an authorised independent advocate or third party • In person at the customer services centre
2.3	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the number of stages involved, what will happen at each stage and the timeframes for responding.	Yes	The Complaints Policy details all the requirements in 2.3 and is available on the CBC website and available in different formats on request.
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	The complaints link is available on the home page of the website and links to an overview of the process, complaints form, Complaints Policy and Unreasonable 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	An Equality Impact Assessment is carried out on all our policies to combat any negative impact. The CBC Equality and Diversity Policy sets out our approach to comply with the Equality Act 2010 and reasonable adjustments are referred to in the policy All members of staff receive Equality and Diversity training

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	Published in the annual report to tenants on the website and newsletter Housing Ombudsman posters are in customer contact centre reception areas
2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	Contact information for the Ombudsman is publicised on the website, newsletter and letters issued throughout the complaints process.
2.8	Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted.	Yes	Letters throughout the complaints process contain contact details for the Housing Ombudsman and state they can contact the Housing Ombudsman at any time.

Best practice 'should' requirements

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 when a complaint is received via social media and how confidentiality and privacy will be maintained.	Yes	The Complaints Policy states: <i>You can use the council's social media channels such as Twitter or Facebook. Complaints should be submitted via private message and will be dealt with off-line to ensure your privacy.</i> The communications team advise those with complaints through social media channels of the complaints process and policy. Not currently directly uploaded as a complaint.

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	The central complaints team are responsible for handling complaints and maintaining the system. The Housing Strategy and Engagement Team within Housing use to report system to produce reports made available to the Council's governing body. The Complaints Policy refers to them as the Complaints Officer.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	The complaints team are centralised team within the Council rather than part of the Housing Service. This reduces conflicts of interest. Complaints staff are provided training with the appropriate skills to be able to handle complaints with no conflicts of interest.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.3	Complaint handlers should: <ul style="list-style-type: none"> • be able to act sensitively and fairly • be trained to handle complaints and deal with distressed and upset residents • have access to staff at all levels to facilitate quick resolution of complaints • have the authority and autonomy to act to resolve disputes quickly and fairly. 	Yes / No	Complaint handlers: <ul style="list-style-type: none"> • act sensitively and fairly • are trained to handle complaints and have received customer care training to deal with emotional customers • have access to relevant staff to be able to resolve complaints quickly <p>The complaint officer does not have the authority to resolve a dispute, the manager who is compiling the information for the response has the authority and autonomy to resolve quickly and fairly.</p>

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	Where a complaint can be resolved at initial contact it will be. If it can't, it is logged as a Stage 1 complaint within five days of receipt. An acknowledgement letter is sent to the customer confirming that their complaint has been received and the next steps.
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	<p>The Complaints Policy states:</p> <p><i>We will acknowledge your complaint within five working days, either by telephone, or in writing. We will set out our understanding about your complaint and the outcomes you are seeking.</i></p> <p>If the reason for the complaint is unclear or if further information is needed, the customer is contacted to discuss this. This is detailed in the acknowledgement.</p> <p>The complaints form does not specifically ask what the outcomes is complainant is seeking. This will be given further consideration as part of ongoing review</p>

4.6	A complaint investigation must be conducted in an impartial manner.	Yes	Stage 1 and Stage 2 complaints are conducted impartially. Where a complaint cannot be resolved at Stage 1, it is reviewed at Stage 2 by a more senior member of staff not connected to the original investigation
4.7	<p>The complaint handler must:</p> <ul style="list-style-type: none"> • 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	Every complaint is investigated thoroughly and independently in a confidential manner without bias, taking into account all the information and evidence before a decision is made. Staff are trained in GDPR to ensure compliance with each complaint
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	The customer is contacted via their preferred method and any actions followed up in writing. Reasonable adjustments will be made to reflect the needs of the individual customer, as required.
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"> • set out their position • comment on any adverse findings before a final decision is made. 	Yes	Customers or staff members will be consulted throughout the complaints process and will be given the opportunity to raise any points that they feel valid for consideration before a final decision is made.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	A timescale of twenty working days is given in the Complaints Policy for a resident to escalate a complaint.
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	Yes	The reasons for not escalating a complaint are outlined in the Complaints Policy and are the same as the reasons for not accepting a complaint as per the Housing Ombudsman Complaint Handling Code. The reasons for any refusal are confirmed in writing to the customer.

	complaints policy and must be the same as the reasons for not accepting a complaint.		
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	A full record of each complaint is retained and includes: <ul style="list-style-type: none"> • Details of the original complaint including the date received • Copies of all correspondence • Details of the investigation • Outcome of the complaint • Details of any actions taken The complaints responses include the actions to take place. The recording of the completion of the actions is held locally by the service responding. Consideration of whether this can be incorporated within the complaints system is required.
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	An Unreasonable Complaints Policy which covers unacceptable behaviour from residents when pursuing a complaint. This is referred to in the Complaints Policy. https://www.chesterfield.gov.uk/media/2140665/unreasonable-complaints-policy-2016-2022-review.pdf

Best practice 'should' requirements

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	Customers' expectations are managed from the initial point of contact including any unreasonable/unrealistic outcomes.

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	We aim to investigate and resolve complaints as swiftly as possible with a view to providing an acceptable resolution for the customer and all involved parties
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	We accept complaints and communicate with any advocates who are authorised to act on the complainant's behalf or represent them throughout the process.
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	Where a complaint relates to legal obligations, both parties' obligations will be defined (e.g. Right to Repair, Tenancy Conditions etc)
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	Individual staff members or contractors will not be identified. Responses to complaints may refer to contacts within the service or team where appropriate to discuss the complaints and action further.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	Residents are updated about the investigation if it is taking longer than the agreed time to resolve it. Residents can also keep track of progress through their MyChesterfield account
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.	Yes	<p>The Complaints Policy states:</p> <p><i>We will monitor our performance when dealing with complaints</i></p> <p>Closed Stage 1 complainants are routinely contacted by the Tenant Engagement Officers to offer involvement opportunities and encourage a positive complaint and</p>

			learning culture.
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	Not known	Dissemination of work and outcomes of complaints to facilitate learning cannot be demonstrated at this time. This area needs further consideration
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	The Unreasonable Complaints Policy takes into account the Equalities and Diversity Policy which demonstrates regard for the Equality Act 2010

Section 5 - Complaint stages

Mandatory 'must' requirements

Stage 1

<p>5.1</p>	<p>Landlords must respond to the complaint <u>within 10 working days</u> 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.</p>	<p>Yes</p>	<p>The Complaints policy states: <i>We will aim to resolve your complaint within ten working days</i> This timeframe is conveyed to the customer in the acknowledgment letter and/or the acknowledgement email. Performance: Average 15 working days between January and June 2023) 60.63% resolved on target (January – June 2023) The Complaints Policy also states: <i>If the complaint can't be completed within this time, then we will let you know and explain the reasons why.</i> The policy sets out a ten working day response per best practice. The Customer Services team will allocate service responses to individual service areas, and aim to do this on the day of receipt. We request a response from the service area within 7 days so that we have time to formulate a reply. If no response is forthcoming, we will send a chaser – The ICT system will also send a chaser as the service response nears its deadline. The central team will continue to chase outstanding complaints but onus on service areas to reply.</p>
<p>5.5</p>	<p>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,</p>	<p>Yes</p>	<p>The customer receives a full written response (unless they have advised otherwise) once the outcome is known.</p>

	<p>are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident.</p>		<p>Outstanding actions are tracked to ensure they are completed in a timely manner and that we fulfil what has been agreed upon.</p>
5.6	<p>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.</p>	Yes	<p>Each point is addressed individually in the Stage 1 conclusion letter with a clear and concise response, confirming any decisions or actions to be undertaken.</p> <p>The Customer Services team sends the full complaint through to the service area and the dealing officer would address all issues in the service response. If a service response is substantially deficient, customer services will challenge it before compiling a response.</p> <p>With regards to reference to policy, law and good practice – this area may need further attention too. No routine reference to Right to Repairs and timescales would be one area for review</p>
5.8	<p>Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language:</p> <ul style="list-style-type: none"> • 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	<p>The stage 1 completion letter outlines</p> <ul style="list-style-type: none"> • The stage of the complaint • The decisions made • The reasons for the decisions • Details of any remedy offered to put things right • Details of any outstanding actions and timescales are provided where possible and feasible • Details of how to escalate to stage 2 if they are not happy with the response

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.9	If all or part of the complaint is not resolved to the resident's 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	A complaint will be escalated to Stage 2 at the customer's request, unless it is refused in line with the list of exclusions outlined in the Complaints Policy. The Stage 2 refusal letter clearly states the reason for not escalating and details of how to contact the Ombudsman
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.	Yes	On receipt of an escalation request, the complainant will be contacted to confirm the reasons for the request and the outcomes the customer is seeking. This will be confirmed in writing.
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	Stage 1 is completed fully before any requests for escalation are considered from the customer.
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	The findings of the Stage 1 investigation will be reviewed by a senior member of staff. This person will have had no prior involvement in the case.

<p>5.13</p>	<p>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.</p>	<p>Yes</p>	<p>The stage 2 complaint will usually be dealt with within 20 working days. If it is not possible to complete the review within this time we will let the customer know, explaining the reasons why. In most cases, a review will not take longer than the initial investigation unless there is a requirement for further investigation.</p> <p>Where an extension is required, this will usually be resolved in an additional 10 days. However, in some cases, these timescales could be extended, for example a complaint is particularly complex.</p> <p>Average response times to Stage 2 complaints Jan-Jun23 was 18.8 days</p>
<p>5.16</p>	<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"> • 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 <p>and</p> <ul style="list-style-type: none"> • 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. 	<p>Yes</p>	<p>The stage 2 completion letter outlines</p> <ul style="list-style-type: none"> • The stage of the complaint • Details of the complaint • The decisions made • The reasons for the decisions • Details of any remedy offered to put things right • Details of any outstanding actions • Details of how to escalate to the Housing Ombudsman if they are not happy with the response

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.	N/A	Not applicable
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"> • 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	Not applicable

Best practice 'should' requirements

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 exceptional cases where further time is required, the customer will be contacted to discuss.
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	<p>The customer has the right to contact the Housing Ombudsman at any time throughout their complaint if they are not happy with how it is being handled. Details are provided on letters throughout the process. The Complaints Policy states:</p> <p><i>If it is likely to take longer than twenty working days to resolve your complaint, we will provide you with the Ombudsman's contact details so you can challenge our plan and the timescales for resolution if you wish.</i></p>
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	Older reports will be considered where applicable to establish what has happened historically with a view to providing a satisfactory resolution

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	Any additional complaints raised by the customer whilst investigations at Stage 1 are being completed will be recorded and responded to as part of the Stage 1 response. If the Stage 1 response has already been issued or if this would delay our response within the specified timescales then this will be logged as a new complaint and investigated separately.
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Stage 2

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 cases where further time is required, the customer will be contacted to discuss.
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	<p>The customer has the right to contact the Housing Ombudsman at any time throughout their complaint if they are not happy with how it is being handled. Details are provided on letters throughout the process. The Complaints Policy states:</p> <p><i>If it is likely to take longer than twenty working days to resolve your complaint, we will provide you with the Ombudsman's contact details so you can challenge our plan and the timescales for resolution if you wish.</i></p>

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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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 <u>within 20 working days</u> 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
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

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 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	Where, after investigation, a complaint is upheld, either in part or in full, we will respond to the customer and acknowledge where we have gone wrong, what actions we have already taken and any further proposed resolutions.
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	Proposed remedies will be reasonable, consider the detrimental impact on the customer, be fair and proportionate, without detriment to other residents/ customers. These may include but not limited to: <ul style="list-style-type: none"> • Apology • Provide requested service • Review working procedure • Review Policy • Staff training or guidance • Financial redress – compensation or refund.
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	The stage 1 and 2 letters clearly set out what will happen with any remedies, and this will be followed through to completion. Any remedies will be discussed with the complainant if appropriate. As per 4.15: The complaints responses include the actions to take place. The recording of the completion of the actions is held locally by the service responding. Consideration of whether this can be incorporated within the complaints system is required.

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	Right to Repair compensation payment and missed repairs appointments payments are made in accordance with policy. If instructed by Ombudsman compensation are made.
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Best practice 'should' requirements

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	Policy or procedures will be reviewed and changed as required where it is identified that this will lead to a service improvement
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.	Unclear	We will investigate a case which has legal implications via our complaints procedure/policy and seek advice from our legal team. The complaints policy has exclusions for complaints 'where legal activity has already started' or 'criminal matters'. The interpretation of this was that it covered active disrepair claims and Customer Services had been instructed to decline complaints under this on that basis. Clarification on this interpretation to be sought and amendments made as required.

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 report and more frequently to their residents, staff and scrutiny panels.	Partial	<p>Information on the number of complaints received, our performance and learning outcomes is published in our annual report to tenants.</p> <p>Complaint information is utilised in Tenant Scrutiny and will form part of the newly established Tenant Performance Group reporting.</p> <p>Complaints performance is reported monthly to Strategic Housing Board.</p> <p>Complaints data has always been used in tenant scrutiny - evidence of routine learning from complaints information is limited at present and is an area for further development</p>

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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<p>7.3</p>	<p>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.</p>	<p>No</p>	<p>Intention to formally report complaints performance to Cabinet. Not currently implemented (at time of assessment)</p>
<p>7.4</p>	<p>As a minimum, governing bodies should receive:</p> <ul style="list-style-type: none"> • 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. 	<p>No</p>	<p>Intention to formally report complaints performance to Cabinet. Not currently implemented (at time of assessment).</p> <p>Frequency of reporting is still being decided.</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>Monitoring dashboards have been set up for each Manager/Section across Housing so that they could identify any trends themselves for any service improvements.</p>

7.6	Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to: <ul style="list-style-type: none"> • have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments • take collective responsibility for any shortfalls identified through complaints rather than blaming others • act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing. 	Yes	Standard complaints training ensures everyone dealing with complaints has a standard objective which includes working together to resolve complaints, identifying and admitting if we've gone wrong and putting things right. Our complaints process is consistent with the principles set out in the CIH Professional Standards which match CBC's core principles
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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	This self-assessment review has been completed against the Code to ensure our complaint handling meets its requirements. This will be carried out on an annual basis and published each September
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	In the event of any future restructure or change of procedure a re-assessment against the Code and its requirements will be completed.

<p>8.3</p>	<p>Following each self-assessment, a landlord must:</p> <ul style="list-style-type: none"> • report the outcome of their self-assessment to their governing body . In the case of local authorities, self- assessment outcomes should be reported to elected members • publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents • include the self-assessment in their annual report section on complaints handling performance 	<p>Yes</p>	<p>This self-assessment outcome will be reported to Strategic Housing Board and through Cabinet once process agreed.</p> <p>It will also be published on the council’s website and be included in the annual report.</p>
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Appendix 1 – Standard complaint response letter templates

Letter 1 – Acknowledgment (Housing only)

Dear [insert name] Your complaint to the council – [insert complaint reference number]

Thank you for contacting us and we acknowledge receipt of your complaint. We will carry out an initial review of your complaint and decide who should carry out the investigation. We may sometimes contact you for further information. We will keep you updated throughout the investigation and will aim to resolve your complaint within 10 working days. If the complaint cannot be completed within this time, then we will let you know, explaining the reasons why.

You will receive a full written response from the person dealing with your complaint unless you advise us otherwise. The response we give will make it clear if the complaint is upheld or not.

Please note if your complaint is about us as a housing landlord, you can contact the Housing Ombudsman Service at any point during the complaint process. It cannot investigate your complaint whilst it is going through our internal complaints procedure, however the Ombudsman may be able to help you and us, as your landlord, reach a resolution.

The Housing Ombudsman Service contact details are:

- Tel: 0300 111 3000
- Email info@housing-ombudsman.org.uk
- Visit www.housing-ombudsman.org.uk
- Write to: Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ).

Our complaints policy is available at [insert website link to the policy].

Yours sincerely

Letter 2B – Stage 1 Response for Housing Complaints

Dear [insert name]

Your complaint to the council [insert Complaint ref number] – Our Response – Stage 1

I have reviewed your complaint at stage 1 of our complaints procedure and am writing to provide you with my response to your complaint.

You complained to us on [insert date/s] about the following issues:

- xxx [list each issue from the original complaint plus any that they / you have since agreed to include in the complaint]
- xxx

To investigate and review your complaint I have [set out steps taken e.g. documents reviewed, staff and contractors consulted etc] and have made the following findings:

- Findings and conclusions [for each element of the complaint, referencing any evidence relied upon and any relevant policies, procedures, or legislation]
- Apologies and explanations [if appropriate, include a genuine apology and an explanation for any service failure]
- Redress [if warranted, provide details of appropriate redress such as compensation, repairs and/or other actions. If offering compensation, explain what it is for, provide a breakdown and refer to any compensation policy – but also use your discretion]
- Learning [explain what you have learnt from the complaint and what changes and improvements will be put in place because of that learning]
- Signposting [if appropriate, signpost the resident to other services or sources of advice or support].

This now concludes Stage 1 of our internal complaints process. I am sorry that you had cause to complain to us. I hope that this letter shows that your feedback has been fully considered and that you are satisfied with this final response.

If you are not happy with the outcome of the Stage 1 investigation, you can request a review of this decision. Please let us know if you want to request a review within XX days. If you do request a review, we will then contact you to understand why you feel your complaint has not been resolved and identify any possible gaps in the investigation. You will be given fair opportunity to set out your position and we will do what we can to resolve any concerns. We will then decide if a review of your complaint will be undertaken and we will inform you of our decision.

Please note that not all complaints will progress onto the review stage but we will always write to you to let you know why this is and to let you know who you can contact if you remain unhappy with our decision.

Please also note you can contact the Housing Ombudsman Service at any point during the complaint process. It cannot investigate your complaint whilst it is going through our internal complaints procedure, however the Ombudsman may be able to help you and us, as your landlord, reach a resolution.

The Housing Ombudsman Service contact details are:

- Tel: 0300 111 3000
- Email info@housing-ombudsman.org.uk
- Visit www.housing-ombudsman.org.uk
- Write to: Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ).

Thank you for the time you have taken in bringing your complaint to our attention.

Yours sincerely

Letter 3B – Refusing a Stage 2 Review Housing Complaints

Dear [insert name]

Your complaint to the council [insert complaint ref number]

We refer to your request for a review of the outcome of the Stage 1 investigation which we received on [insert date].

We contacted you to understand why you felt your complaint has not been resolved and to identify any possible gaps in the investigation.

[insert here the appropriate text that follows on from paragraph 2 above. For example, “You felt that your complaint had not been resolved because XYZ etc etc”]

After giving careful consideration to your request, we have decided not to undertake a Stage 2 review. We have reached this decision because [insert here the reason(s) for not undertaking a Stage 2 review).

Your right to complain to the Housing Ombudsman

You are entitled to refer your complaint to the Housing Ombudsman Service.

The contact details are:

- Tel: 0300 111 3000
- Email: info@housing-ombudsman.org.uk
- Visit: www.housing-ombudsman.org.uk
- Write to: Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ).

In most cases we will be given an opportunity to respond before the Ombudsman will investigate a complaint made against us.

Once an investigation is concluded, the Ombudsman will notify you and us in writing of its findings.

Yours sincerely

Letter 4B – Accepting a Stage 2 Review Housing Complaints

Dear [insert name]

Your complaint to the council – [insert complaint ref number]

We refer to your request for a review of the outcome of the Stage 1 investigation which we received on [insert date].

We contacted you to understand why you felt your complaint has not been resolved and to identify any possible gaps in the investigation.

[insert here the appropriate text that follows on from paragraph 2 above. For example, “You felt that your complaint had not been resolved because XYZ etc etc”]

After giving careful consideration to your request, we have decided to undertake a Stage 2 review.

The findings of the Stage 1 investigation will be reviewed by a senior member of staff. This person will have had no prior involvement in the case. They will address any points raised and ensure that we have followed the correct processes. A review is not another investigation but will look at providing you with an answer to the complaints you feel remain unanswered.

At this stage, your complaint will usually be dealt with within 20 working days. If it is not possible to complete the review within this time we will let you know, explaining the reasons why. In most cases, a review will not take longer than the initial investigation unless there is a requirement for further investigation.

Where an extension is required, this will usually be resolved in an additional 10 days. However, in some cases, these timescales could be extended, for example a complaint is particularly complex.

We will keep you updated on the progress of your complaint. You can also keep track of progress through your My Chesterfield account.

Please also note you can contact the Housing Ombudsman Service at any point during the complaint process. It cannot investigate your complaint whilst it is going through our internal complaints procedure, however the Ombudsman may be able to help you and us, as your landlord, reach a resolution.

The Housing Ombudsman Service contact details are:

- Tel: 0300 111 3000
- Email: info@housing-ombudsman.org.uk
- Visit: www.housing-ombudsman.org.uk
- Write to: Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ).

Yours sincerely

Letter 5B – Stage 2 Response for Housing Complaints

Dear [insert name]

Your complaint to the council [insert complaint ref number] – Our Response – Stage 2

I have reviewed your complaint at stage 2 of our complaints procedure and am writing to provide you with my response to your complaint.

Officer X sent you our previous Stage 1 response to your complaint on (date). I am sorry to hear that you remain dissatisfied. I understand (from our phone call/your email/ letter of x date) that your reasons for dissatisfaction and your outstanding concerns are:

- (summarise outstanding issues and reasons for dissatisfaction)
- Xx

I also understand that, to resolve your complaint, you are seeking the following outcome/s:

- (list any outcomes sought by the complainant e.g. repairs, apology, compensation, change in procedure)

To review your complaint, I have (set out steps taken e.g. documents reviewed, staff and contractors consulted etc) and have made the following findings:

- Findings and conclusions (for each element of the complaint, referencing any evidence relied upon and any relevant policies, procedures, or legislation)
- Apologies and explanations (if appropriate, include a genuine apology and an explanation for any service failure)
- Redress (if warranted, provide details of appropriate redress such as compensation, repairs and/or other actions. If offering compensation, explain what it is for, provide a breakdown and refer to any compensation policy – but also use your discretion)
- Learning (explain what you have learnt from the complaint and what changes and improvements will be put in place because of that learning)
- Signposting (if appropriate, signpost the resident to other services or sources of advice or support).

This now concludes Stage 2 of our internal complaints process. I am sorry that you had cause to complain to us. I hope that this letter shows that your feedback has been fully considered and that you are satisfied with this final response.

Your right to complain to the Housing Ombudsman

If you are not satisfied with this final response, you are entitled to refer your complaint to the Housing Ombudsman Service. The contact details are:

- Tel: 0300 111 3000
- Email: info@housing-ombudsman.org.uk
- Visit: www.housing-ombudsman.org.uk
- Write to: Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ).

In most cases we will be given an opportunity to respond before the Ombudsman will investigate a complaint made against us.

Once an investigation is concluded, the Ombudsman will notify you and us in writing of its findings.

Thank you for the time you have taken in bringing your complaint to our attention.

Yours sincerely