

Appendix 4 - Housing Ombudsman Complaint Handling Code

Thurrock Council self-assessment – June 2021 (based on complaints data for 2020/21)

Compliance with the Complaint Handling Code

1	Definition of a complaint	Yes	No	Comments
	Does the complaints process use the following definition of a complaint? <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		A minor change to the definition has been applied.
	Does the policy have exclusions where a complaint will not be considered?	Yes		
	Are these exclusions reasonable and fair to residents?	Yes		
	Evidence relied upon			Exclusions relied upon are: <ul style="list-style-type: none"> • something that happened more than 12 months ago although this is assessed by the council on a case by case basis • something that has already gone to court, or could have gone to court • a matter whereby the complainant has advised that they intend to, or have, initiated legal proceedings against the council in relation to the substance of the complaint • something that has its own appeal process, such as parking fines, school admissions

				<ul style="list-style-type: none"> • a matter that involves a potential insurance claim • something that is being, or has been, investigated by the relevant Ombudsman
2	Accessibility	Yes	No	Comments
	Are multiple accessibility routes available for residents to make a complaint?	Yes		
	Is the complaints policy and procedure available online?	Yes		
	Do we have a reasonable adjustments policy?	Yes		<p>The following communication schedule is in place to inform tenants:</p> <ol style="list-style-type: none"> 1. how to complain 2. of the complaints process 3. that if they require an advocate/help to assist them with their complaint then they can let the council know and the council will try to find an organisation to assist them <p>Communication schedule:</p> <ul style="list-style-type: none"> • website • housing online portal, where tenants access their rent information • Resident Engagement team • Tenants Excellence Panel • tenants newsletters (Housing News) • emails/letters to tenants • messages shared on Resident Engagement Facebook page

				<p>It is also made clear to tenants via complaint acknowledgment letters that:</p> <ul style="list-style-type: none"> • if they require assistance to take forward their complaint, they can appoint a representative to deal with their complaint on their behalf • any individual representing/assisting them can accompany them at any meeting with the council (if a meeting is required to consider their complaint) • if they require assistance with their complaint, but don't have anyone to help them, they can let us know and the council will do all it can to find them an advocate
	Do we regularly advise residents about our complaints process?	Yes		<p>This is undertaken via:</p> <ul style="list-style-type: none"> • website • housing online portal, where tenants access their rent information • Resident Engagement team • Tenants Excellence Panel • tenants newsletters (Housing News) • emails/letters to tenants • messages shared on Resident Engagement Facebook page
3	Complaints team and process	Yes	No	Comments
	Is there a complaint officer or equivalent in post?	Yes		
	Does the complaint officer have autonomy to resolve complaints?	Yes		

	Does the complaint officer have authority to compel engagement from other departments to resolve disputes?	Yes		
	If there is a third stage to the complaints procedure are residents involved in the decision making?	Not applicable		The council's process for Housing/landlord's complaints comprises of only two stages.
	Is any third stage optional for residents?		No	
	Does the final stage response set out residents' right to refer the matter to the Housing Ombudsman Service?	Yes		
	Do we keep a record of complaint correspondence including correspondence from the resident?	Yes		
	At what stage are most complaints resolved?			Stage 1 – this has been determined from the data used to produce the 2020/21 annual report.
4	Communication	Yes	No	Comments
	Are residents kept informed and updated during the complaints process?	Yes		
	Are residents informed of the landlord's position and given a chance to respond and challenge any area of dispute before the final decision?	Yes		
	Are all complaints acknowledged and logged within five days?	Yes		
	Are residents advised of how to escalate at the end of each stage?	Yes		
	What proportion of complaints are resolved at stage one?			Using the data from the 2020/21 complaints report this equates to 86%: <ul style="list-style-type: none"> • 331 received • 45 escalations • 286 resolved • % resolved at Stage 1 is 86%

	<p>What proportion of complaints are resolved at stage two?</p>			<p>Using the data from the 2020/21 complaints report this equates to 91%:</p> <ul style="list-style-type: none"> • 67 received • 6 escalated (to a stage that no longer exists) • 61 resolved • % resolved at Stage 2 is 91%
	<p>What proportion of complaint responses are sent within Code timescales?</p> <ul style="list-style-type: none"> • Stage one • Stage one (with extension) • Stage two • Stage two (with extension) 			<p>Proportions are:</p> <ul style="list-style-type: none"> • Stage one – 94% • Stage one (with extension) – not applicable as the council do not apply extensions (see below) • Stage two – 97 % • Stage two (with extension) – not applicable as the council do not apply extensions (see below)
	<p>Where timescales have been extended did we have good reason?</p>	<p>Not applicable</p>		<p>The council does not apply extensions to complaints as this approach does not encourage the timely responding of complaints. If timeframes are exceeded, the council continues to link in with the complainant to keep them updated. The council's performance in responding to complaints within timeframe is strong as evidenced by the figures above.</p>
	<p>Where timescales have been extended did we keep the resident informed?</p>	<p>Not applicable</p>		<p>The council does not apply extensions to complaints as this approach does not encourage the timely responding of complaints. If timeframes are exceeded, the council continues to link in with the complainant to keep them updated.</p>

	What proportion of complaints do we resolve to residents' satisfaction			<ul style="list-style-type: none"> • 86% for Stage 1 • 91% for Stage 2
5	Cooperation with Housing Ombudsman Service	Yes	No	Comments
	Were all requests for evidence responded to within 15 days?	Yes		6 cases were received from the Housing Ombudsman in the period 2020/21. All 6 cases were responded to within the timeframes given.
	Where the timescale was extended did we keep the Ombudsman informed?	Not applicable		No extensions of time were requested as all enquiries were responded to within timeframe.
6	Fairness in complaint handling	Yes	No	Comments
	Are residents able to complain via a representative throughout?	Yes		<p>It is made clear to tenants via complaint acknowledgment letters that:</p> <ul style="list-style-type: none"> • if they require assistance to take forward their complaint, they can appoint a representative to deal with their complaint on their behalf • any individual representing/assisting them can accompany them at any meeting with the council (if a meeting is required to consider their complaint) • if they require assistance with their complaint, but don't have anyone to help them, they can let us know and the council will do all it can to find them an advocate
	If advice was given, was this accurate and easy to understand?	Yes		This is checked via data quality checks prior to the complaint response being submitted. The council are also clear on complaints communications, that the Housing Ombudsman Service may be able to assist the complainant by allowing them the

				opportunity to engage with the Ombudsman's dispute support advisors. The Ombudsman contact details are provided to allow the complainant to make contact if required.
	How many cases did we refuse to escalate?			7
	What was the reason for the refusal?			<p>Of the 7 cases 1 was rejected at Stage 1, 5 at Stage 2 and 1 at Stage 3 cases (when we had a 3-stage process): Reasons were:</p> <ul style="list-style-type: none"> • 1 case was rejected as it related to an issue more than 12 months old • 5 cases were rejected as the issues raised were addressed in the stage 1 response so a further investigation would not arrive at a different outcome • 1 was rejected as the issues raised were addressed in the stage 2 response so a further investigation would not arrive at a different outcome <p>Note - The council no longer refuse to escalate complaints, unless it's considered out of scope as detailed on our website.</p>
	Did we explain our decision to the resident?	Yes		In all cases the resident was advised of the rejection.
7	Outcomes and remedies	Yes	No	Comments
	Where something has gone wrong are we taking appropriate steps to put things right?	Yes		Learning is logged, tracked and reported to senior management and members (via committee

				reports). Summary learning is also provided to tenants via tenants newsletters.
8	Continuous learning and improvement	Yes	No	Comments
	What improvements have we made as a result of learning from complaints?			<p>The council's annual complaints report for 2020/21 has identified some key learning and positive outcomes for housing related services and a few examples of these are shown below:</p> <ul style="list-style-type: none"> • staff have been reminded that when raising works orders, the job description must be clear and jargon free. • staff have been reminded of ensuring that where there are issues with gaining access, the case is referred back to the council for further support. • staff will be undergoing training in 2021 relating to: Communications, Housekeeping & Customer Service. • contractors have reviewed their internal process to ensure automatic escalation to a Supervisor where there have been 3 attendances to a property within a 3 month period. • staff to ensure that all emails received are actioned before being marked as completed. • ASB staff reminded of providing residents with timely responses to communication and providing residents with updates on their case following any changes, such as a change of case officer.

				<ul style="list-style-type: none"> • ASB staff instructed to ensure that they do not request that residents email them directly, but that they instead signpost them to the generic ASB email. This will allow emails to be actioned in the event of staff absence. • the process regarding successions has been reviewed by a project team and all the necessary documentation has been covered within this review. Meetings to take place regarding possible changes and Tenancy Management Officers to be trained on any changes • discussions have taken place with the scaffolding contractor to request they revise their procedures for carrying out works and improve their communication when speaking to residents. • staff reminded to ensure that residents receive a response to any queries, regardless if this relates to a matter than has already been actioned • staff have been reminded that the resident should be advised if their enquiry is being dealt with by a different team • further training for staff regarding Universal Credit Housing Costs will be provided, to ensure accurate guidance can be provided to residents
	How do we share these lessons:			We share these lessons with:

	<p>(a) with residents (b) with the board/governing body (c) in the Annual Report</p>			<p>(a) residents – summary learning is shared via the communication schedule referred to within point 2 above, and in addition to this it is made clear within individual complaints responses what will done differently to learn from complaints</p> <p>(b) the board/governing body – learning from complaints and key learning themes form part of our regular reports to Senior Management and Standards and Audit Committee</p> <p>(c) in the Annual Report – learning from complaints and key learning themes form part of our Annual Complaints Report, which goes onto Standards and Audit Committee</p>
	<p>Has the Code made a difference to how we respond to complaints?</p>	<p>Yes</p>		<p>The code has proved a really useful tool allowing the council to assess and improve the way it manages complaints.</p>
	<p>What changes have we made?</p>			<p>A number of changes to standard complaints letters – for example, making it clear to complainants:</p> <ul style="list-style-type: none"> • that if they need an advocate to assist them with their complaint, then they can let us know and we will try to find an organisation who can assist them • to firm-up their desired outcome from the outset • that they have a right to access the Housing Ombudsman Service, not only at the point when they have exhausted the council’s complaints process – this is on the basis that the Housing Ombudsman Service can assist

			<p>residents throughout the life of a complaint, and affords the resident the opportunity to engage with the Ombudsman's dispute support advisors</p> <p>Regular communications with tenants as outlined within the communication schedule in point 2 above, which includes:</p> <ul style="list-style-type: none">• setting out our complaints process and how they can complain• providing summary learning from complaints• making it clear that the council can assist them if they require an advocate <p>Providing additional information to the Tenants Excellence panel including:</p> <ul style="list-style-type: none">• a copy of this self-assessment with a request for comments• a copy of the annual complaints report (learning section for Housing) with a request for comments <p>In addition to the above the council has:</p> <ul style="list-style-type: none">• reduced the complaints stages for Landlord complaints from three down to two stages• updated its website to provide additional information on complaint remedies
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