

Complaint Handling Code changes – easy reference guide

Notes: The structure of the Code has changed, and we no longer refer to Part A, Part B and Part C. This easy reference guide does not list every change as most changes are minor in nature and have not affected the core requirements of the Code.

Code Heading	Paragraph	Difference
Introduction	N/A	Where the Code refers to something landlords 'must' do, this is a requirement. Where the code refers to something landlords 'should' do, landlords are able to use their discretion to achieve best practice in complaint handling.
	N/A	Landlords are required to self-assess against the Code annually on a 'comply or explain' basis and publish this on their website. Non-compliance could result in the Ombudsman issuing a complaint handling failure order.
The complaints process – Definition of a complaint	1.2	Use of the Ombudsman's definition of a complaint is now mandatory.
	1.3	Complaints that are submitted via a third party or representative, such as an MP, should still be handled in line with the landlord's complaints policy.
	1.4	Guidance around when chasers on a service request are considered a complaint.
Exclusions	1.8	Clarity around what constitutes legal proceedings.
Accessibility	2.1	Clarity about the various channels we expect residents to be able to submit a complaint to their landlord and that landlords must provide more than one route of access to the complaints system. Acknowledgement that not all avenues are necessary and that some channels may not be ones a landlord chooses to use.

	2.5	Reasonable adjustments policies and the Equality Act.
	2.6	Publicising the complaints policy and process, the Complaint Handling Code, and the Housing Ombudsman Scheme in a variety of mediums.
	2.7/2.8	Provision of contact information for the Ombudsman and early advice about residents' rights to access the Housing Ombudsman Service to residents are now mandatory
Complaint handling personnel	3.1/3.2	Clarity around responsibility for complaints handling.
Complaint handling principles	4.1	Clarity about the handling of a complaint once recorded. Five working days to acknowledge and log a complaint from the date of receipt.
	4.13	The timescales for a resident to request escalation of a complaint must be included in the complaints policy.
	4.14	Reasons for refusing to escalate a complaint.
	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.
Complaint stages – Stage 1	5.1	10 working days for response at stage one starts from the date the complaint is logged.
	5.3/5.15/5.19	Provision of the Ombudsman's details if extensions cannot be agreed.
	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.

	5.5	The complaint response must be sent to the resident when the answer to the complaint is known. It must not be delayed until any outstanding actions are completed. Outstanding actions should be tracked and updates provided to the resident.
	5.7	Clarification regarding when additional complaints can be incorporated into the stage one response.
Stage 2	5.11	Complaints must only be escalated to stage two if it has been responded to at stage one and at the resident's request.
	5.12	The person considering the complaint at stage two, must not be the same as the person that considered the complaint at stage one.
Stage 3	5.17	If landlords strongly believe a third stage is necessary, they must set out their reasons in the self-assessment. More than three stages is not acceptable under any circumstances.
Continuous learning and improvement	7.3	Expectation that a member of the governing body is appointed to have lead responsibility for complaints.
	7.4	Expectation of what information governing bodies should receive about complaints.
	7.6	Expectation that landlords should have a standard objective for all employees in relation to complaint handling.
Self-assessment and Compliance – Self-assessment	8.1	Landlords must complete an annual self-assessment against the Code.
	8.3	Requirements of landlords following self-assessment.