

# **The Ombudsman's revised Complaint Handling Code**

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# Background

- Code published July 2020
  - Response to Green Paper
  - Combination of best practice and our own insight
  - Consulted with sector
- Recent review based on feedback
  - Sector engagement and casework
  - Landlord and tenant surveys
  - FAQs
  - Other Ombudsman services UK and Ireland
  - Consulted with sector



# Background

- No major changes
  - Provides clarity
  - Strengthens complaint handling in certain areas
- Changed layout
  - Removed parts A,B,C etc
  - Follows structure of a complaint
- Changed language 'must' and 'should'
  - 'must' includes complaint definition/timeframes
- Appendices

# Code Revisions

- Exclusion criteria clarified
  - Emphasis remains on accepting complaints (unless valid reason)
  - Must be set out in policy (fair and reasonable)
  - Examples provided in Code
  - Clearly explain reasons: provide Ombudsman's contact details
- Accessibility - more than one avenue
- Publicise Code, Scheme and Ombudsman's contact details
- Responsible Team or Person



# Code Revisions

- Handling matters outside formal process
  - In agreement with resident/audit trail
  - No unreasonable delays
  - Should not act as a barrier to formal process
  - No stage '0' or 'Pre-complaint' stage in formal procedure
- Escalation
  - Should be the same as exclusions criteria
  - Emphasis on escalating complaints- use each stage as an opportunity to resolve
  - Clearly explain and provide Ombudsman's role and contact details

# Code Revisions

- Response times
  - Remain the same
  - Discretion to extend
  - Proposed extensions must be agreed and can be challenged via HOS
- Don't delay process unduly due to outstanding actions
- Different reviewers at Stages 1 & 2
- Additional complaints
- 2 stages are ideal – no more than 3



# Code Revisions

- Report on learning and improvements in annual report to tenants
- Role of governing bodies in complaints
  - Member with lead complaints responsibility
  - Regular information and insights: volume, categories, outcomes, trends
  - Severe mal. & other notable cases
  - Self-assessment
- Standard objectives for employees
  - Collaborative
  - Collective responsibility, rather than a blame culture
  - Act in line with CIH Professional Standards



# Code Revisions – Self Assessment

- Redrafted to separate ‘must’ and ‘should’ requirements
- Comply or explain why
- Annual requirement to complete
- In force 1 April 2022, align with Code by 1 October – recommend using self-assessment as a tool to do this

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
Section 1 - Definition of a complaint			
Mandatory ‘must’ requirements			
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>		
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.		

# Summary



- Code has been strengthened in three specific areas
  - Increased obligations on landlords to raise awareness of its complaints process and the Housing Ombudsman Service
  - Sets out good practice for staff and for members of governing bodies
  - Reinforces importance of learning from complaints – annual self-assessment

# Contact us



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