



Report to: Policy & Performance Improvement Committee – 24 June 2024

Director Lead: Deborah Johnson, Director - Customer Services and Organisational Development

Lead Officers: Jill Baker, Business Manager - Customer Services

<b>Report Title</b>	Revised Customer Complaint and Feedback Policy and Housing Ombudsman Complaint Handling Code Self-Assessment update.
<b>Purpose of Report</b>	To update Members on the changes required to the Customer Complaints and Feedback Policy to ensure the Council meets the requirements of the Housing Ombudsman Complaint Handling Code.
<b>Recommendations</b>	That the Policy & Performance Improvement Committee: <ul style="list-style-type: none"> <li>a) endorse both the revised Customer Complaints &amp; Feedback Policy and the Housing Ombudsman Complaint Handling Code Self-Assessment; and</li> <li>b) recommend to the Audit &amp; Governance Committee approval of the revised Customer Complaints &amp; Feedback Policy and the Housing Ombudsman Complaint Handling Code Self-Assessment.</li> </ul>

## 1.0 Background

1.1 The Housing Ombudsman (HO) and Local Government and Social Care Ombudsman (LGSCO) recently carried out individual consultations on their joint complaint handling code proposals, with the aim of having one joint code, setting out a gold standard for complaint handling across the local government and social housing sector. Unfortunately as each Ombudsman was at a different stage in their process, it was not possible for them to adopt a joint code at this time.

1.2 The LGSCO have issued their Code as “advice and guidance” and intend to start considering the Code as part of their process from April 2026. Councils are encouraged to adopt the Code as soon as they are able to do so. They are working with a number of pilot Councils to understand the impact of the Code and provide further guidance to the sector, the nearest to us is North Kesteven District Council. The LGSCO has advised that the Code itself will not change as a result of the pilots but learning from these councils will inform the accompanying guide and the way they use the Code when applying it in their casework.

1.2 Previously, landlords had to complete a self-assessment against the Code and publish it on their websites. There is now a statutory requirement for landlords to submit their self-assessment annually to the HO. The timing of the annual submission to the HO aligned with the Regulator of Social Housing’s requirements for the publication and submission of Tenant Satisfaction Measures (TSM). We need to have submitted ours by 30 June 2024.

1.4 The key areas of the HO Code include:

- universal definition of a complaint
- providing easy access to the complaints procedure and ensuring residents are aware of it, including their right to access the Housing Ombudsman Service
- the structure of the complaint's procedure - only 2 stages necessary and clear times set out for responses.
- ensuring fairness in complaint handling with a resident-focused process
- taking action to put things right and appropriate remedies.
- creating a positive complaint handling culture through continuous learning and improvement
- demonstrating learning in annual reports
- annual self-assessment against the Code

1.5 The significant changes to the new code which impact us are:

- timescales and requirements for acknowledging complaints at each stage
- timescales to responding to complaints at each stage, including extensions to timescales
- exclusions to and/or escalating complaints
- requirement to produce and publish an annual complaints and service improvement report.

## 2.0 Current Situation

2.1 Our current policy has the following timescales, which in the vast majority of cases are met.

	Acknowledgement	Response
Stage one	3 working days	10 working days
Stage two	3 working days	15 working days

In order to meet the Housing Ombudsman requirements, if the complaint relates to a housing tenancy, the acknowledgment process for stage 1 and 2 complaints is slightly different. Prior to sending the acknowledgement, the senior officer who is investigating the complaint will contact the complainant to discuss their complaint with them. The acknowledgement timescale for these complaints is up to 5 working days.

## 3.0 Required Changes to the Customer Complaints and Feedback Process

3.1 In order to meet the requirements of the HO Complaint Handling Code, a number of changes are required to the Customer Complaints and Customer Feedback Policy (**Appendix 1**). Although the changes are to meet the HO requirements, in order to have the one policy and process, it is proposed that the changes are made council wide. They do meet the proposed LGSCO Complaint Handling Code. These changes have already been made for complaints relating to housing tenancies.

### 3.2 The proposed changes are:

- a. the timescale to submit a stage 1 complaint increases from six to twelve months
- b. complaints are allocated to the investigating officer and it is the investigating officer who acknowledges the complaint and contacts the complainant to discuss their complaint with them
- c. the acknowledgment response timescale for both stage 1 and stage 2 complaints is 5 working days from the complaint being logged.
- d. the response time for stage two complaints is increased from 15 working days to 20 working days. This meets the Housing Ombudsman code and will provide more time to carry out detailed investigations and carry out home visits where required
- e. the current timescale to escalate a complaint to a stage 2 is three months from date of the stage 1 response being issued. The Housing Ombudsman recommends that there is no timescale to escalate a complaint to stage 2, unless we have a very good reason to impose one.

## 4.0 **Next Steps**

- 4.1 The Complaint Handling Code Self-Assessment has been shared with the Involved Tenants for their approval. The Tenant Engagement Board will review this at their next meeting on 20 June 2024. The final date for the completed assessment to be submitted to the Housing Ombudsman and published on our website is 30 June 2024.
- 4.2 The Customer Complaints and Feedback Policy will be updated to reflect these changes.
- 4.3 An action plan has been created to determine what changes are required to our processes etc, and these are being worked through.
- 4.4 The staff guidance, and process is being updated and then training will be delivered to staff by attending team meetings.
- 4.5 An Equality Impact Assessment to be completed.

## 5.0 **Implications**

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability, and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

### 5.1 **Digital implications**

Discussions are taking place with our existing software provider to determine the work required to reflect these changes. At the time of writing this report, the costs are unknown.

## **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.