

## **HIGH PEAK BOROUGH COUNCIL**

### **Housing Board**

**3<sup>rd</sup> September 2024**

<b>TITLE:</b>	<b>Housing Customer Feedback</b>
<b>EXECUTIVE COUNCILLOR:</b>	<b>Cllr Fiona Sloman, Executive Councillor for Housing and Licensing</b>
<b>CONTACT OFFICER:</b>	<b>Karen Lomas – Head of Customer Services</b>
<b>WARDS INVOLVED:</b>	<b>Non-specific</b>

#### **Appendices Attached:**

**Appendix A - Self-Assessment 2024**

**Appendix B - Complaints Performance 2023/24**

**Appendix C - Complaints compliments and comments procedure and policy**

#### **1. Reason for the Report**

1.1 The purpose of the report is to make the Board aware of the approach taken to towards the effective management of complaints:

- To scrutinise and challenge the self-assessment against the Housing Ombudsman Code and to ensure the complaint handling policy remains in line with its requirements.
- To provide an annual summary on the number of complaints, comments, and compliments for the period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024.

#### **2. Recommendation**

It is recommended that the following items are approved following consideration of the details included in this report:

- To note the overall performance on complaints, comments, and compliments.
- To note the content of the Housing Ombudsman Self-Assessment to ensure corporate compliance with the new Housing Ombudsman Code.

#### **3. Executive Summary**

The Alliance Leadership Team has been updated and the policy has been amended to incorporate both the LGSCO and HO to comply with, strengthen, and clarify the requirements.

4. **How this report links to Corporate Priorities**

- 4.1 Complaints are important in assisting the Council to understand how well it performs in its ambition to be a customer first organisation

5. **Alternative Options**

- 5.1 There are no options to consider.

Martin Owen  
**Executive Director (Resources)**

**Web Links and  
Background Papers**

[Housing Ombudsman Service \(housing-ombudsman.org.uk\)](http://housing-ombudsman.org.uk)

**Contact details**

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## 6. Detail

- 6.1 The Social Housing (Regulation) Act 2023 (the Act) empowered the Housing Ombudsman to issue a code of practice about the procedures that members of the Scheme should have in place for considering complaints. It also placed a duty on the Ombudsman to monitor compliance with a code of practice that it has issued.
- 6.2 The Housing Ombudsman's new Complaint Handling Code became a statutory requirement from 1st April 2024 and sets out the expectations placed on social landlords of how they deal with and manage complaints within their service areas. All social landlords have been required to publish a self-assessment on how they meet this new code.
- 6.3 Please see Appendix A for a copy of the self-assessment.
- 6.4 Landlords are expected to annually self-assess against the Code, to engage its governance in that exercise and to publish the outcome. Landlords must embrace complaints through increased transparency, accessibility, and complaint handling governance. Demonstrating that residents are core to its service delivery and good complaint handling is central to that.
- 6.5 The Code aims to support the earliest resolution of complaints while the matters are still within the landlord's own procedure. This can avoid issues escalating with potentially prolonged detriment to the resident, as well as requiring significantly more time and resource by the landlord to remedy. The Code provides a guide to residents of what to expect if they make a complaint, as well as improving access and awareness to the procedure when they need it.
- 6.6 Embracing the Code can also empower staff. Involvement in complaint resolution develops staff ownership, decision-making, and engagement. Staff should ensure appropriate resources and tools are deployed to handle complaints. It provides senior staff with essential insight into day-to-day operations, allowing them to assess effectiveness and identify any organisational risks or issues.
- 6.7 High Peak Borough Council has a customer feedback officer within the customer services team whose role includes recording and monitoring feedback, liaising with Heads of Service to ensure the Council is meeting the agreed response times as per our policy. The feedback officer also monitors cases that have been escalated to the Housing Ombudsman.
- 6.8 Please see appendix C copy of our complaints policy
- 6.9 Data collected about complaints can be analysed and used to inform key business decisions to drive improvement in service provision.
- 6.10 The Housing Ombudsman also encourage landlords to see this exercise as an opportunity to engage residents in setting their approach to complaints to drive a positive complaint and learning culture.

- 6.11 The positive engagement of landlords in the Code and its principles has brought focus on the importance of complaints and the advent of this statutory Code will drive further change to the benefit of both residents and landlords.
- 6.12 Service areas must ensure customers have the opportunity to make a complaint, and services should not consider potential increases of complaints as a negative as it provides the opportunity to learn from the feedback to shape and improve the services the Council provides.
- 6.13 Head of Customer Services and the Customer Feedback Officer provide training with service areas regarding recording and responding to complaints.
- 6.14 Complaints performance is included in the quarterly performance reports, the report provides details of complaints received across all service areas, housing complaints are split into 4 areas
- Housing Carelink
  - Housing Repairs
  - Housing Operational
  - Housing Tenancy
- 6.15 A copy of the complaints Performance along with learning from complaints can be found at Appendix B
- 6.16 The Housing Ombudsman number of cases is included in the annual report to standards committee

## Appendix A Self Assessment

## Section 1: Definition of a complaint

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
1.2	<p>A complaint must be defined as:</p> <p><i>‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.’</i></p>	Yes	<p><a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a></p>	<p>We use the principles of the definition within our complaints procedure.</p>
1.3	<p>A resident does not have to use the word ‘complaint’ for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make complaint. A complaint that is submitted via a third party or representative must be handled in line with the landlord’s complaints policy.</p>	Yes	<p><a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a></p>	<p>All complaints are triaged upon receipt and where applicable we will resolve the issue informally by raising a request for service or discussing with the Service area involved. Complaints relating to an issue over 12 months old may not be considered, these are discussed with the tenant before going through the complaints process. Unreasonably persistent complainants and unreasonable complainant behaviour, in a minority of cases the way in which complainants pursue their</p>

				<p>complaint can impede investigations. The Council has adopted the Local Government Ombudsman Guidance in relation to unreasonable and unreasonably persistent complaints.</p> <p><a href="https://www.lgo.org.uk/information-centre/information-for-organisations-we-investigate/councils/guidance-notes/guidance-on-managing-unreasonable-complainant-behaviour">https://www.lgo.org.uk/information-centre/information-for-organisations-we-investigate/councils/guidance-notes/guidance-on-managing-unreasonable-complainant-behaviour</a></p>
1.4	<p>Landlords must recognise the difference between a service request and a complaint. This must be set out in their complaints policy. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly.</p>	Yes	<p><a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a></p>	<p>Each case is triaged and a decision made as to if the case is a complaint/comment or a request for service. All cases are recorded and documented. And is set out within our complaints policy and procedure.</p>
1.5	<p>A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Landlords</p>	Yes	<p><a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a></p>	<p>If and when a Tenant/representative remains dissatisfied with the outcome of the service request, The case can then go through our complaints process.</p>

	must not stop their efforts to address the service request if the resident complains.			
1.6	An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.	Yes		Housing services Commissioned Acuity to complete the tenant survey part of the spec was to signpost tenants where to report any tenancy issues



## Section 2: Exclusions

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
2.1	Landlords must accept a complaint unless there is a valid reason not to do so. If landlords decide not to accept a complaint they must be able to evidence their reasoning. Each complaint must be considered on its own merits	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	All cases/complaints are triaged and considered on its own merits. If a complainant is persistent or a response has already been given, communication will be given to the tenant on the reasoning why we will not be accepting the complaint.
2.2	A complaints policy must set out the circumstances in which a matter will not be considered as a complaint or escalated, and these circumstances must be fair and reasonable to residents. Acceptable exclusions include: <ul style="list-style-type: none"> <li>• The issue giving rise to the complaint occurred over twelve months ago.</li> <li>• Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.</li> </ul>	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	Please see exceptions are found within our policy

	<ul style="list-style-type: none"> <li>Matters that have previously been considered under the complaints policy.</li> </ul>			
2.3	Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	Within our policy exceptions for High peak Borough Council tenants
2.4	If a landlord decides not to accept a complaint, an 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. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.	Yes	Communication made between Head of Service and Customer Feedback Officer	Contact will be made with the resident to explain the complaint process
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider	Yes		Each case is assessed on its own merit.

	the individual circumstances of each complaint.			
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### Section 3: Accessibility and Awareness

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
3.1	Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.	Yes	Posters in our receptions and information on our websites <a href="https://www.highpeak.gov.uk/article/906/Feedback">https://www.highpeak.gov.uk/article/906/Feedback</a> <a href="https://www.staffsmoorlands.gov.uk/article/501/Feedback">https://www.staffsmoorlands.gov.uk/article/501/Feedback</a>	Residents are able to raise a complaint , request a service, provide feedback via the following channels – Online social media platforms, feedback web form, email, face to face, telephone and post.
3.2	Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.	Yes	Reminder for Head of service to deliver to staff in Team Meetings	Training provided by Head of Service for each service area and The Feedback Officer.
3.3	High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised	Yes	All customer feedback is monitored and reported on Monthly, highlighting any areas of concern.	

	and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.			
3.4	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two stage process, what will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord's website.	Yes	Included within Section 4 of the Tenancy agreement	The complaint policy and procedure is available to view on our website.
3.5	The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code.		<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	The complaints policy and procedure is available to view on our website which includes information of the Ombudsman and this code.
3.6	Landlords must 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.		<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	The landlord supports all residents, if they wish to have a representative to deal with their complaint/feedback.
3.7	Landlords must provide residents with information on	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	Details provided within the Policy

	their right to access the Ombudsman service and how the individual can engage with the Ombudsman about their complaint.			
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## Section 4: Complaint Handling Staff

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
4.1	Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the 'complaints officer'. This role may be in addition to other duties.	Yes	In House procedure	Customer Feedback Officer and Head of Heads of service.
4.2	The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly.	Yes		The Feedback Officer has regular Liaison with all staff at all levels.
4.3	Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and must be resourced to handle complaints effectively	Yes	In House procedure	The complaints are monitored on a daily basis by senior staff members. And monitor for any lessons learned. All senior staff are trained in the importance of complaint handling and have resources to handle complaints effectively.

## Section 5: The Complaint Handling Process

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
5.1	Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain.	Yes	<a href="https://www.highpeak.gov.uk/article/680/Equality-and-diversity">https://www.highpeak.gov.uk/article/680/Equality-and-diversity</a>	Residents are not treated any differently if a complaint is made.
5.2	The early and local resolution of issues between landlords and residents is key to effective complaint handling. It is not appropriate to have extra named stages (such as 'stage 0' or 'informal complaint') as this causes unnecessary confusion.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	We seek to resolve in house at stages 1,2 of our policy with the option to refer to HGO
5.3	A process with more than two stages is not acceptable under any circumstances as this will make the complaint process unduly long and delay access to the Ombudsman.	Yes		We seek to resolve in house at stages 1,2 of our policy with the option to refer to HGO
5.4	Where a landlord's complaint response is handled by a third party (e.g. a contractor or independent adjudicator) at any stage, it must form part of	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	As landlords we respond to the complaint leasing with a contractor or third party as required.



	the two stage complaints process set out in this Code. Residents must not be expected to go through two complaints processes.			
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	Yes		As landlords we respond to the complaint leasing with a contractor or third party as required.
5.6	When a complaint is logged at Stage 1 or escalated to Stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will refer to this as “the complaint definition”. If any aspect of the complaint is unclear, the resident must be asked for clarification.	Yes		Our response is set out clearly to the resident, However, We would make contact with any residents to clarify information and encourage residents to contact us if they are unclear and request clarification of their complaint response.
5.7	When a complaint is acknowledged at either stage, landlords must be clear which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	On response this would be confirmed to the resident what the landlord is/isn't responsible for and if necessary sign post to other agencies.

5.8	<p>At each stage of the complaints process, complaint handlers must:</p> <ul style="list-style-type: none"> <li>a. deal with complaints on their merits, act independently, and have an open mind;</li> <li>b. give the resident a fair chance to set out their position;</li> <li>c. take measures to address any actual or perceived conflict of interest; and</li> <li>d. consider all relevant information and evidence carefully.</li> </ul>	Yes	<p><a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a></p>	<p>All components of 5.8 adhered to by complaint handlers as referred to within our policy.</p>
5.9	<p>Where a response to a complaint will fall outside the timescales set out in this Code, the landlord must agree with the resident suitable intervals for keeping them informed about their complaint.</p>	Yes	<p><a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a></p>	<p>A holding response is sent to the resident as soon as it becomes apparent that a full response cannot be sent within the timescales, with an indication of when a full response will be provided.</p>
5.10	<p>Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record</p>	Yes	<p><a href="https://www.highpeak.gov.uk/article/680/Equality-and-diversity">https://www.highpeak.gov.uk/article/680/Equality-and-diversity</a></p> <p>Ongoing review to document this information across the appropriate software.</p>	<p>The service areas keep record of any known reasonable adjustments and keep a record of any disabilities that a resident</p>

	of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review.			has disclosed. And are kept under review. The council has commitments on accessibility and adjustments in a wider policy on Equality and Diversity:
5.11	Landlords must not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do so. Landlords must clearly set out these reasons, and they must comply with the provisions set out in section 2 of this Code.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	Reasons to refuse escalation are included within our policy
5.12	A full record must be kept of the complaint, 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 relevant supporting documentation such as reports or surveys.	Yes		We have a robust customer feedback reporting system where we record all correspondence, monitor timescales and obtain detailed reports.
5.13	Landlords must have processes in place to ensure a	Yes		We make contact with residents at all stages of the complaint process. we

	complaint can be remedied at any stage of its complaints process. Landlords must ensure appropriate remedies can be provided at any stage of the complaints process without the need for escalation.			seek remedy early within the complaint process, without the need for escalation.
5.14	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review.	Yes	<p><a href="https://www.lgo.org.uk/information-centre/information-for-organisations-we-investigate/councils/guidance-notes/guidance-on-managing-unreasonable-complainant-behaviour">https://www.lgo.org.uk/information-centre/information-for-organisations-we-investigate/councils/guidance-notes/guidance-on-managing-unreasonable-complainant-behaviour</a></p> <p>March 2024 -Currently in the Process of putting together our own Policy. Unacceptable behaviour is also addressed within the neighbourhoods team and refers to the tenancy agreement.</p>	Unreasonably persistent complainants and unreasonable complainant behaviour, in a minority of cases the way in which complainants pursue their complaint can impede investigations. The council has adopted the Local Government Ombudsman guidance in relation to unreasonable and unreasonably persistent complaints.
5.15	Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.	Yes	<p><a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a></p>	Complaints that are unacceptable behaviour will be triaged and monitored in line with the Equality Act 2010 Any restrictions enforced the customer will be made aware, we will also demonstrate regard.

## Section 6: Complaints Stages

### Stage 1

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.1	Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident.	Yes	Stage 1 within 10 working days as per our policy	All cases are triaged and reviewed, we strive to respond to complaints as soon as possible, some complaints require further investigations or are more complex and we endeavour to resolve promptly with an explanation, apology or resolution to the resident.
6.2	Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure <b><u>within five working days of the complaint being received</u></b> .	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	When a complaint has been logged at stage 1 the resident will get an auto acknowledgment immediately, to confirm the complaint, the reference number and the time scales for a response.
6.3	Landlords must issue a full response to stage 1 complaints <b><u>within 10 working days</u></b> of the complaint being acknowledged.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	Landlord currently adheres to a stage 1 response within 10 working days

6.4	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	If and when a time scale extension is required, due to further investigations or the complexity of the case, acknowledgment to the customer will be sent at the earliest point to explain that when a response will be made by and be made clear to the resident.
6.5	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes	Completed in house on our holding response to resident	Information on how to contact the Ombudsman is included within our response for an extension
6.6	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes		Contact and updates are regularly feedback to the resident with any outstanding actions.
6.7	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the	Yes		All complaints are responded to with all points raised with clear reasons for any decisions made, and reference made to policy, law

	relevant policy, law and good practice where appropriate.			and good practice where is appropriate.
6.8	Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	Within our complaint logging system we have the capacity to merge complaints, and investigate further, however if a new complaint is raised from the same resident that doesn't correspond with a current case a new case can be logged.
6.9	Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language: <ul style="list-style-type: none"> <li>a. the complaint stage;</li> <li>b. the complaint definition;</li> <li>c. the decision on the complaint;</li> <li>d. the reasons for any decisions made;</li> <li>e. the details of any remedy offered to put things right;</li> <li>f. details of any outstanding actions; and</li> </ul>	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	The landlord conforms with all raised points within 6.9 within our stage 1 response.

	g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.			
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## Stage 2

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.10	If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it must be progressed to stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	At stage 1 if the resident remain dissatisfied with the stage 1 response they have the opportunity to express their reasons and request to escalate to stage 2 at the landlords final response.
6.11	Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure within five working days of the escalation request being received.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	The request for escalation from residents to stage 2 is completed within 5 working days of request being received.
6.12	Residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.	Yes		When a resident does not provide a reason to escalate to stage 2 we would seek to understand why.
6.13	The person considering the complaint at stage 2 must not be	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	The person completing the stage 2 response will not be the same as the stage 1.



	the same person that considered the complaint at stage 1.			
6.14	Landlords must issue a final response to the stage 2 <b><u>within 20 working days</u></b> of the complaint being acknowledged.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	Landlords comply that a stage 2 is responded to within 20 working days.
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	If an extension of more than 20 days is required, a clear explanation will be provided.
6.16	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes		Information on how to contact the Ombudsman is included within our response for an extension.
6.17	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes		Contact and updates are regularly provided to the resident with any outstanding actions.

6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes		All complaints are responded to with all points raised with clear reasons for any decisions made, and reference made to policy, law and good practice where is appropriate.
6.19	Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language: a. the complaint stage; b. the complaint definition; c. the decision on the complaint; d. the reasons for any decisions made; e. the details of any remedy offered to put things right; f. details of any outstanding actions; and g. details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	The landlord conforms with all raised points within 6.19 within our stage 2 response.
6.20	Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.	Yes	<a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a>	Stage 2 final response to the resident is responded to by an Executive Director.

## Section 7: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
7.1	<p>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. These can include:</p> <ul style="list-style-type: none"> <li>• Apologising;</li> <li>• Acknowledging where things have gone wrong;</li> <li>• Providing an explanation, assistance or reasons;</li> <li>• Taking action if there has been delay;</li> <li>• Reconsidering or changing a decision;</li> <li>• Amending a record or adding a correction or addendum;</li> <li>• Providing a financial remedy;</li> <li>• Changing policies, procedures or practices.</li> </ul>	Yes	<p><a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a></p>	<p>Once an investigation has taken place the landlord will follow the actions within 7.1 to take/ or intends to take appropriate actions to put things right. As within our policy.</p>
7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.	Yes		A Remedy offered an impact on the resident is on a case by case basis.
7.3	The remedy offer must clearly set out what will happen and by when, in agreement with the resident	Yes		The remedy will be clearly set out on will happen.

	where appropriate. Any remedy proposed must be followed through to completion.			
7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.	Yes		We regularly review guidance from the Ombudsman

## Section 8: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
8.1	<p>Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include:</p> <ul style="list-style-type: none"> <li>a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements.</li> <li>b. a qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept;</li> <li>c. any findings of non-compliance with this Code by the Ombudsman;</li> <li>d. the service improvements made as a result of the learning from complaints;</li> <li>e. any annual report about the landlord's performance from the Ombudsman; and</li> <li>f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.</li> </ul>	No / Part Comply		<p>We currently provide a report detailing complaints performance across all service areas of the council , this includes complaints for our housing service . The report also includes complaints referred to the Ombudsman . Reports are presented annually to Standards Committee and quarterly at Corporate select committee details of which can be found via the following link <a href="#">Your Council - High Peak Borough Council</a> We always seek to improve processes and procedures to reduce customer complaints. And this forms part of our internal performance report and annual standards committee reports.</p> <p>High Peak Borough Council have recently formed a new committee named the Housing Board , and Annual Complaints Performance and Service Improvement Report will be included on the agenda for future meetings , the next meeting was planned for July 2024 however this has now been rescheduled to take place in September 2024 .Agenda and</p>

				minutes of the meeting will be available via <a href="#">Your Council - High Peak Borough Council</a>
8.2	The annual complaints performance and service improvement report must be reported to the landlord's governing body (or equivalent) and published on the on the section of its website relating to complaints. The governing body's response to the report must be published alongside this.	No / Part Comply		Annual Complaints Performance and Service Improvement Report will be included on the Housing Board meeting agenda. A copy of the meeting minutes, including the Governing body response to the report will be published on our website. Agenda and minutes of the meeting will be available via Your Council - High Peak Borough Council.
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Yes		Self-assessment to be carried out following significant restructure merger and or change in procedures
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	Yes		We review and update as requested.
8.5	If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website Landlords must provide a timescale for returning to compliance with the Code.	Yes		Any exceptional circumstances the Ombudsman would be informed. And update our website accordingly.

## Section 9: Scrutiny & oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
9.1	Landlords must look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.	Yes		The landlord regularly monitors the service area and any lessons learned to improve.
9.2	A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.	Yes		The landlord looks at all feedback to see what we are doing right and what can be improved on and changed.
9.3	Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.	Yes		A housing subcommittee has been developed and tenant engagement group who will have access to the committee reports
9.4	Landlords must appoint a suitably senior lead person as accountable for their complaint handling. This person must assess any themes or trends to	Yes		Customer Feedback Officer

	identify potential systemic issues, serious risks, or policies and procedures that require revision.			
9.5	In addition to this a member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').	Yes		Head of customer service
9.6	The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.	Yes		Head of customer Services
9.7	As a minimum, the MRC and the governing body (or equivalent) must receive: a. regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance;	Yes		Head of Customer service to report to portfolio holder



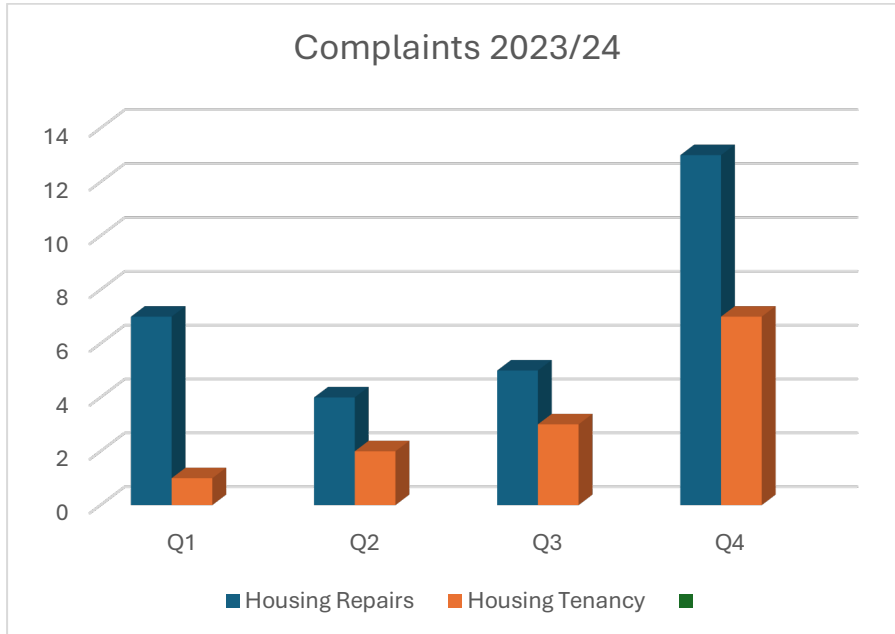
	<p>b. regular reviews of issues and trends arising from complaint handling;</p> <p>c. regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and</p> <p>d. annual complaints performance and service improvement report.</p>			
9.8	<p>Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:</p> <p>a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;</p> <p>b. take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and</p> <p>c. act within the professional standards for engaging with complaints as set by any relevant professional body.</p>	Yes	<p><a href="https://www.highpeak.gov.uk/article/907/Complaints-procedure">https://www.highpeak.gov.uk/article/907/Complaints-procedure</a></p>	<p>As per the complaints policy and aims within the corporate plan to ensure customers can access our services .....</p>



## Appendix B

### Complaints 2023/24

In total 42 Housing complaints were recorded for the period 2023/24



### Common theme for complaints

We identified an increase in repairs complaints during the Autumn/Winter months mainly relating to Heating and Hot water issues there were delays to attending appointments due to bad weather and a delay in resourcing parts .

### Recommendations

To keep tenants informed of any delays to repair jobs ensuring our tenants and properties are safe

100% were acknowledged and passed to the Head of Service within the target time of 3 working days

### Stage 2 Complaints

Of the 42 complaints received 5 were escalated to stage 2 for the period 2023/24

6 complaints were referred to the Housing Ombudsman for the period 2023/24 .(1 referred following stage 2 decision in the period 2022/23)

Of the 6 referred to the Ombudsman 2 cases were upheld (no maladministration ) 4 referrals are awaiting decision by the Housing Ombudsman





# **High Peak Borough Council and Staffordshire Moorlands District Council Joint Complaints, Compliments and Comments procedure and policy**

Reviewed April 2024

## **Introduction and Our Principles:**

This Policy explains our approach to dealing with complaints and that we deal with them in a fair, unbiased, consistent and structured way.

All feedback is important to us. Complaints , Comments and Compliments. We strive to put things right where we have gone wrong, so that we can learn and improve our services and stop them from happening again.

The policy aims to give you a clear understanding of our feedback process.

The following principles will inform the way in which the council engage with our customers and respond to both positive and negative customer feedback about service delivery.

We will ensure that it is easy for our customers to make their views known.

## **On receipt of a complaint:**

We need to be clear whether we have received a complaint, rather than a request for service or a request for an explanation of a decision.

We use the following Ombudsman definitions, to decide if a complaint has been made:

### **Local Government Ombudsman**

‘A complaint may be defined as 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 or group of individuals.’

### **Housing Ombudsman**

‘A complaint is an expression of dissatisfaction, however made, about the standard of service actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.’

This includes:

- failure to respond to a routine service request
- inadequate or unsatisfactory service
- failure to follow policies, standards or procedures
- undue delay in taking action
- inaccurate or misleading information
- disrespectful or unhelpful staff

### **Exceptions:**

Although most complaints will fall into this definition there are some cases that won't be dealt with through our complaints process:

- Complaints that a councilor has broken the code of conduct are assessed by the monitoring Officer
- Freedom of Information(FOI), Environmental Information and Subject Access Requests(SAR) and complaints about responses have their own council review system and right of appeal to the Information Commissioner
- Any complaints arising out of actions or omissions which occurred more than 12 months previously

### **Exceptions for High Peak Borough Council Tenants**

- Complaints that a councillor has broken the code of conduct are assessed by the monitoring Officer
- Freedom of Information(FOI), Environmental Information and Subject Access Requests(SAR) and complaints about responses have their own council review system and right of appeal to the Information Commissioner
- Any complaints arising out of actions or omissions which occurred more than 12 months and in some cases 6 months previously. HPBC as landlord will exercise discretion when considering whether to exclude a complaint on this basis and advise the tenant accordingly
- The complaint made to the landlord is the same matter which is or has been subject to legal proceedings.
- Where the same issue has previously exhausted the landlord's internal complaints process

### **Appeal against our decision to exclude**

You have the right to take this decision to the ombudsman who will review the exclusion.

### **When classified as a complaint:**

- We will engage with our customers and seek to fully understand the cause of the complaint;
- If the complainant has a representative we will check that they have the complainants consent to act on their behalf, and satisfy ourselves that they are acting in the complainants best interests.
- We will ensure that staff are empowered to respond and deal with complaints;
- We will seek to reach a speedy and equitable resolution of all complaints;
- We will learn from complaints, and apply what we learn to ensure that the problem that caused the complaint is not repeated.

- We will take measures to address any actual or perceived conflict of interest and information and any evidence carefully.

### **Corporate Complaints Procedure:**

Where applicable we will resolve the issue informally by raising a request for service or discussing with the service area involved .The customer will receive a response within 10 working days advising of the action taken .

If the complaint is to follow the formal complaints process then the following will apply

#### **Stage 1**

All complaints will be acknowledged within three days of receipt and be Responded to within 10 working days.

If the complaint requires additional time for investigation, the customer will be contacted and a full explanation given for the delay along with a date a full response will be provided

#### **Stage 2**

Where a customer is dissatisfied with the decision at stage 1 of the complaint they will have the option to escalate to the Executive Director responsible for the Service area. All complaints at this stage 2 will be acknowledged within three working days and responded to within 20 working days.

If the complaint requires additional time for investigation, the customer will be contacted and a full explanation given for the delay along with a date a full response will be provided

### **Ombudsman:**

Where a customer is dissatisfied with the decision at stage 2 they have the option to refer to the Ombudsman

The Local Government Ombudsman is an independent body who investigates complaints about councils and some other organisations providing local public services [www.lgo.org.uk](http://www.lgo.org.uk)

The Housing Ombudsman Service is set up by law to look at complaints about the housing organisations that are registered with them.[www.housingombudsman.org.uk](http://www.housingombudsman.org.uk)



## **Housing Self-assessment code**

If you would like to view the self-assessment code please see the link on our website.

[www.highpeak.gov.uk](http://www.highpeak.gov.uk)

## **Unreasonably persistent complainants and unreasonable complainant behaviour:**

The majority of complaints made to the council will be dealt with in a timely and effective manner through the appropriate application of the complaints procedures. In a minority of cases however the way in which complainants pursue their complaint can impede investigations, the council has adopted the Local Government Ombudsman guidance in relation to unreasonable and unreasonably persistent complaints.

Link to guidance on managing unreasonable complainant behaviour

<https://www.lgo.org.uk/information-centre/reports/advice-and-guidance/guidance-notes/guidance-on-managing-unreasonable-complainant-behaviour>

## **Compliments**

On receipt of a compliment:

- We will acknowledge receipt, where this is appropriate or required;
- We will ensure that it is shared with the relevant individual or team;
- We will learn from the good practice and apply the learning across both Councils.

## **Comments**

On receipt of comments or suggestions:

- We will acknowledge receipt, where this is appropriate or required;
- We welcome your suggestions on how we can improve our services.

## **Service Requests**

On receipt of a request for service:

- We will Acknowledge receipt, Where this is appropriate or required;
- We will ensure that it is shared with the relevant individual or team;
- We will ensure if required a response is made.

If you would like to leave feedback this can be done in the following ways -

- Complete the online feedback form [www.highpeak.gov.uk](http://www.highpeak.gov.uk)  
[www.staffsmoorlands.gov.uk](http://www.staffsmoorlands.gov.uk)

- email - [complaints@highpeak.gov.uk](mailto:complaints@highpeak.gov.uk) [complaints@staffs Moorlands.gov.uk](mailto:complaints@staffs Moorlands.gov.uk)
- Telephone HPBC 0345 129 7777 SMDC 0345 605 3010
- In Person - High Peak Borough Council Buxton Town Hall, Market Place, Buxton, SK17 6EL
- In Person - Staffs Moorlands District Council Moorlands House, Stockwell Street, Leek, ST13 6HQ
- By Post PO BOX 136 Buxton SK17 1AQ