

# Housing Ombudsman Complaint Handling Code: Self-assessment form

Compliance with the Complaint Handling Code			
1	Definition of a complaint	Yes	No
	<p><b>Does the complaints process use the following definition of a complaint?</b></p> <p><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></p> <p>LBWF uses the following definition, which is similar to that suggested by the HOS:</p> <p>A complaint is an expression of dissatisfaction by a customer about the Council, its services or its staff, where a response or resolution is explicitly or implicitly expected. It is immaterial whether the service is one delivered by the Council or by a contractor on the Council's behalf. There is no difference between a 'formal' or 'informal' complaint; they both require a response.</p>	X	
	Does the policy have exclusions where a complaint will not be considered?	X	
	<p>Are these exclusions reasonable and fair to residents?</p> <p>LBWF has a list of exclusions set out in our internal complaints procedure and publishes this on the Council's website at <a href="https://www.walthamforest.gov.uk/node/753">https://www.walthamforest.gov.uk/node/753</a></p>	X	
2	Accessibility		
	Are multiple accessibility routes available for residents to make a complaint?	X	

	<p>The HOS code states:</p> <p><i>2.1. Landlords shall make it easy for residents to complain, by providing different channels through which residents can make a complaint.</i></p> <p><i>2.2. Where a landlord has set up channels to communicate with its residents via social media, such as Facebook and Twitter, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.</i></p> <p>LBWF prefers to receive complaints through its online portal, which is available at <a href="https://portal.walthamforest.gov.uk/Forms/Contact%20Us">https://portal.walthamforest.gov.uk/Forms/Contact%20Us</a>.</p> <p>We also accept complaints by letter, which can be sent to the Complaints Team. Although not publicised, the Council also receives complaints through the Information Officer email account; through the Chief Executive’s office; through the Contact Centre; and through the Leader of the Council.</p> <p>In addition, we accept complaints that are referred to us by the ombudsmen services. All complaints are logged on the customer service database (Achieve).</p> <p>LBWF’s complaints page provides information for customers who are unable to use the online portal. Customers are advised to send their complaint by letter or to seek assistance from the Libraries Service. In addition, there is a process in place to enable Council staff to take complaints over the phone in exceptional circumstances. Information about this is provided on the website. Officers in the Resolution Centre and in the corporate Complaints Team are able to accept complaints by phone.</p> <p>In respect of the acceptance of complaints via Social Media, we have always taken the position that if a formal complaint were to be sent via Social Media, the customer would be directed to our complaints page and the portal. Social Media is not considered sufficiently secure for communication with the complainant about matters that could be highly confidential.</p>		
	<p>Is the complaints policy and procedure available online?</p> <p>The Council publishes its complaints procedure at <a href="https://www.walthamforest.gov.uk/content/complaints-compliments-and-comments">https://www.walthamforest.gov.uk/content/complaints-compliments-and-comments</a>. This includes a link to the online complaint form. The Council has extensive internal guidance documents for staff who handle complaints. These documents are not published on the website but are available on the intranet (ForestHub).</p>	<p><b>X</b></p>	
	<p>Do we have a reasonable adjustments policy?</p>	<p><b>X</b></p>	

	LBWF does not have a specific ‘reasonable adjustments’ policy. However, the website contains links for help with making a complaint, help with completing the online form, and signposting to advocacy.		
	<p>Do we regularly advise residents about our complaints process?</p> <p>Information about the complaints procedure is readily available on our website. Due to costs, we no longer provide complaints posters and leaflets for distribution in council offices and libraries.</p>	X	
<b>3</b>	<b>Complaints team and process</b>		
	<p>Is there a complaint officer or equivalent in post?</p> <p>Stage 1 complaints are dealt with by various officers within the service area concerned. Waltham Forest Housing and the Revenues &amp; Benefits Service have dedicated complaints teams. The Council also has a corporate complaints team.</p>	X	
	<p>Does the complaint officer have autonomy to resolve complaints?</p> <p>Staff are encouraged to resolve complaints at the earliest opportunity. When complaints are not resolved at Stage 1, complainants have the right to escalate their complaint to Stage 2 of the corporate complaints procedure. Stage 2 complaints are dealt with by the corporate Complaints Team on behalf of the Chief Executive. The Complaints Team works with Heads of Service and Directors to resolve complaints.</p>	X	
	<p>Does the complaint officer have authority to compel engagement from other departments to resolve disputes?</p> <p>At Stage 2 of the complaints procedures, service areas are expected to cooperate with the Complaints Team in the investigation and response to a complaint. This is set out in our internal guidance.</p>	X	
	<p>If there is a third stage to the complaints procedure are residents involved in the decision making?</p> <p>We do not currently have a third stage to our corporate complaints procedure. Waltham Forest Housing has a Resident Engagement Panel set up but so far this has not been involved in reviewing complaints.</p>	N/A	N/A

	Is any third stage optional for residents?	N/A	N/A
	Does the final stage response set out residents' right to refer the matter to the Housing Ombudsman Service?  Information about escalation rights is given to the complainant in the Stage 2 complaint acknowledgement and the Stage 2 response. Information is also published on the complaints page on our website.	X	
	Do we keep a record of complaint correspondence including correspondence from the resident?  The corporate Complaints Team keeps records of Stage 2 complaints on a shared drive. Copies of the Stage 1 complaint and response are usually available on the customer service database (Achieve). All information related to a Stage 2 complaint investigation, which includes information obtained from the Service Area concerned, is kept on the shared drive and is available for sharing with the Ombudsman Service as and when appropriate.	X	
	At what stage are most complaints resolved?  Based on the amount of complaints that escalate to Stage 2, the majority of complaints are resolved at Stage 1. For example, during the financial year 2019/2020, the Council received 2936 Stage 1 complaints and 256 Stage 2 complaints. So overall, 0.09% of Stage 1 complaints escalated to Stage 2.	N/A	N/A
<b>4</b>	<b>Communication</b>		
	Are residents kept informed and updated during the complaints process?  On receipt of a complaint, complainants receive an automated acknowledgement providing a reference number for their complaint. During the investigation, Service Areas are encouraged to contact customers if they need to clarify points in the complaint. Where necessary, site visits or inspections are organised; this is particularly relevant to complaints regarding repairs. The Council publishes a timescale so that complainants are aware of when they should receive a response. Our procedure requires that a holding reply is sent to the customer when a response cannot be issued on time.	X	

	<p>Are residents informed of the landlord’s position and given a chance to respond and challenge any area of dispute before the final decision?</p> <p>Implementing such a measure is likely to be impractical. Given the volume of complaints that we handle, it would not be possible to let the complainant have sight of a ‘draft’ response before we reach a final decision. When a customer remains dissatisfied after a Stage 1 investigation, they are encouraged to escalate their complaint to Stage 2. If a complainant remains dissatisfied after Stage 2 of the complaints procedure, they are sign-posted to the appropriate Ombudsman Service.</p>		<p><b>X</b></p>
	<p>Are all complaints acknowledged and logged within five days?</p> <p>Our acknowledgement target date is 3 working days from date of receipt. All complaints that are logged via the Contact Us form through our portal get an automated acknowledgement advising that their complaint has been received. When a complaint escalates to Stage 2, a further acknowledgement is sent to confirm this. This provides the name and contact details of the Complaints Officer dealing with the Stage 2 and the response due date. Holding replies are sent when the Stage 2 response deadline cannot be met.</p>	<p><b>X</b></p>	
	<p>Are residents advised of how to escalate at the end of each stage?</p> <p>Our response templates include a standard escalation paragraph to provide such information.</p>	<p><b>X</b></p>	
	<p>What proportion of complaints are resolved at stage one?</p> <p>The response to this question can only be provided on the basis of how many complaints we received at Stage 1 and how many escalate to Stage 2, making an assumption that if a complaint is not escalated by the complainant, it would be considered resolved.</p> <p>During the financial year 2019/2020, the Council received 2936 Stage 1 complaints and 256 Stage 2 complaints. So overall, 0.09% of Stage 1 complaints escalated to Stage 2, while 99.91% were resolved at Stage 1.</p>		

	<p><i>Note: the above figures include all complaints received by the Council, both at Stage 1 and Stage 2 (of the corporate complaints procedure), not solely those that fall within the Housing Ombudsman's jurisdiction.</i></p>		
	<p>What proportion of complaints are resolved at stage two?</p> <p>The response to this question can only be provided on the basis of how many complaints dealt with at Stage 2 of our complaints procedure escalate to the Ombudsmen Services, making an assumption that if a complaint is not escalated by the complainant, it would be considered resolved.</p> <p>During the financial year 2019/2020, the Council received 256 Stage 2 complaints. Of these:</p> <ul style="list-style-type: none"> <li>- 45 were escalated to the Local Government &amp; Social Care Ombudsman, 17 of which were formally investigated and 28 closed without investigation, and</li> <li>- 14 complaints escalated to the Housing Ombudsman Service, 13 of which were formally investigated, and one closed without investigation.</li> </ul> <p>Therefore, based on a total of 30 complaints having been formally investigated by the Ombudsmen Services, 88% of complaints were resolved at Stage 2.</p> <p><i>Note: the above figures include all complaints received by the Council, both at Stage 1 and Stage 2 (of the corporate complaints procedure), not solely those that fall within the Housing Ombudsman's jurisdiction.</i></p>		
	<p>What proportion of complaint responses are sent within Code timescales?</p> <ul style="list-style-type: none"> <li>• Stage one Stage one (with extension)</li> <li>• Stage two Stage two (with extension)</li> </ul> <p>During 2019/2020, our response rate for Stage 1 corporate complaints was 63%, while our response rate for Stage 2 corporate complaints was 75%. These are overall percentages. We do not have data for when an extension to the deadline was applied.</p>	<b>N/A</b>	<b>N/A</b>
	<p>Where timescales have been extended, did we have good reason?</p>	<b>X</b>	

	There could be multiple reasons why a timescale is not adhered to, but the main reason is likely to be conflicting priorities and lack of resources. This is what I have based the reply on.		
	Where timescales have been extended, did we keep the resident informed?  Our complaints procedure requires us to send a holding reply when we are unable to meet the response deadline. This is done at Stage 2 of the complaints procedure but not necessarily at Stage 1.	X	
	What proportion of complaints do we resolve to residents' satisfaction?  We do not carry out customer satisfaction surveys specifically on complaints.	N/A	N/A
<b>5</b>	<b>Cooperation with Housing Ombudsman Service</b>		
	Were all requests for evidence responded to within 15 days?	X	
	Where the timescale was extended, did we keep the Ombudsman informed?	X	
<b>6</b>	<b>Fairness in complaint handling</b>		
	Are residents able to complain via a representative throughout?	X	
	If advice was given, was this accurate and easy to understand?	X	
	How many cases did we refuse to escalate? What was the reason for the refusal?  We do not record figures for complaints that we have not accepted. In each case, where we have not escalated a complaint, we have given a written response to the complainant explaining our position.  When we have refused to accept a complaint, the reason has been that the complaint is outside the jurisdiction of the complaints procedure or the complaint has been made out of time. When a complaint is deemed to be outside jurisdiction of the complaints procedure, the complainant has been signposted to other Council services or external agencies, depending on the subject matter of the complaint.		

	Did we explain our decision to the resident?	Yes	
<b>7</b>	<b>Outcomes and remedies</b>		
	<p>Where something has gone wrong, are we taking appropriate steps to put things right?</p> <p>The Council has a compensation policy which can be applied at any stage of the complaints procedure. This is applied when a financial remedy is appropriate. In addition, the Council has a 'learning from complaints' process which enables us to raise action plans following a complaint investigation that is upheld or partly upheld. Action plans are used to make appropriate recommendations to the service area, to remedy the complaint and improve services. In addition, the Council accepts recommendations for remedy from the Ombudsmen Services and consistently achieves a 100% compliance rate.</p>	X	
<b>8</b>	<b>Continuous learning and improvement</b>		
	<p>What improvements have we made as a result of learning from complaints?</p> <p>(a) The following are improvements made following investigation by the Local Government &amp; Social Care Complaints Ombudsman:</p> <ul style="list-style-type: none"> <li>- Parking Services – the Council reviewed its procedures for responding to complaints, matters relating to more than one PCN and for dealing with undelivered/returned notices. The A-Z of Parking Policies Handbook was updated in respect of these items in October 2019.</li> <li>- Homelessness – the Council reviewed its storage procedure in respect of its duty to provide storage to homeless applicants under s211 and s212 of the Housing Act 1996. This was done in October 2019.</li> <li>- Recovery of unpaid Council Tax – the Council reviewed its procedures for handling Attachment of Earnings and issue update guidance to staff in the Revenues &amp; Benefits Service.</li> <li>- Temporary accommodation – the Council reviewed its processes on how it assesses whether temporary accommodation is suitable for homeless applicants.</li> </ul>	N/A	N/A



	<ul style="list-style-type: none"> <li>- School appeals – the Council issued updated instructions for staff who deal with school appeals, in respect of minuting appeal hearings.</li> </ul> <p>(b) Recommendations made following investigations by the Housing Ombudsman Service were specific to each case. Waltham Forest Housing’s Property Services Team are in the process of carrying out reviews of repairs and communication procedures as recommended by the HOS.</p> <p>(c) The following are examples of generic recommendations made as a result of investigations of Stage 2 corporate complaints.</p> <ul style="list-style-type: none"> <li>- Staff who are named in complaints should not investigate and respond to the complaint made about them;</li> <li>- Stage 1 responses should be reviewed and signed off by the Head of Service, in accordance with the complaints procedure;</li> <li>- Stage 1 investigations and responses should cover all the issues raised by the complainant;</li> <li>- Customers should be kept informed when there are unavoidable delays to provide them with services or when it is not possible to respond to their complaint in accordance with published timescales;</li> <li>- When dealing with anti-social behaviour complaints, the established procedure should be followed, to include meeting with the complainant and agreeing on action to be taken;</li> <li>- Repairs agreed as a result of complaint investigations should be tracked and monitored until satisfactory completion, to avoid further escalation of complaints;</li> <li>- When a complaint involves multiple service areas, feedback should be sought from all services concerned rather than sending a partial response to the complainant.</li> </ul> <p>(d) The following are examples of recommendations made following investigation of social care related complaints.</p>		
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	<ul style="list-style-type: none"> <li>- Adult Social Care did not advise the customer of the correct procedures for applying for transport for respite care. A recommendation was made that the case file must have information logged to show communication between staff and customers in respect of information given.</li> <li>- Children’s Services – parents did not receive copies of reports within the set target dates. Staff were reminded of the importance of providing timely reports to parents.</li> <li>- Special Educational Needs and Disability (SEND) – there were delays in responding to requests for an EHC (Education, Health &amp; Care) Plan to parents. A recommendation was made that the service reviews internal processes to avoid unnecessary delays.</li> </ul>		
	<p>How do we share these lessons with</p> <ul style="list-style-type: none"> <li>a) residents?</li> <li>b) the board/governing body?</li> <li>c) In the Annual Report?</li> </ul> <p>Reports regarding complaints received by the Council are regularly presented to Management Board and Governance Board, usually on a quarterly basis.</p> <p>A report is presented to Audit &amp; Governance Committee on an annual basis. This is published on the Council’s website at <a href="https://www.walthamforest.gov.uk/content/council-meetings-minutes-and-agendas">https://www.walthamforest.gov.uk/content/council-meetings-minutes-and-agendas</a></p> <p>We fulfil a statutory requirement to publish annual reports about complaints received for Adult Social Care and Children’s Social Services.</p>	<b>N/A</b>	<b>N/A</b>
	<p>Has the Code made a difference to how we respond to complaints?</p> <p>LBWF already has a robust and long-established complaints procedure, which is well-publicised and applied consistently. Our internal guidance for staff regarding the corporate complaints procedure was reviewed by the Housing Ombudsman Service in December 2019. The following is an extract from the feedback received from them:</p> <p><i>The policies are good in that they recognise that the Council is responsible for complaints about contractors as well as its own in-house staff. They also provide a definition of a complaint and note the difference between this and a service request. They recognise complaints as a learning</i></p>	<b>N/A</b>	

	<p><i>tool and show regard for those with vulnerabilities both in terms of dealing with the substantive issue being complained of and in terms of access to the complaints procedure. They reflect the Ombudsman’s Dispute Resolution Principles. Overall, I consider Stages 1 and 2 to be really thorough documents which reflect the good practice and approaches that the Ombudsman promotes.</i></p>		
	<p>What changes have we made?</p> <p>The feedback that we received from the Housing Ombudsman Service in December 2019 was considered in our annual review of our complaints procedure, which was undertaken in January 2020.</p>	<p><b>N/A</b></p>	<p><b>N/A</b></p>