

Enquiries to: Kelly Baxter
Direct Dial: 024 7637 6619
Direct Email:

member.services@nuneatonandbedworth.gov.uk

Date: 11th June 2024

Dear Sir/Madam,

A meeting of the **CABINET** will be held in the Council Chamber, Town Hall, Nuneaton, on **Wednesday, 19th June 2024** at **6.00 p.m.**

The public can follow the decision making online:-
www.nuneatonandbedworth.gov.uk/virtual-meeting.

Please note that meetings are recorded for future broadcast.

Yours faithfully,

Tom Shardlow

Chief Executive

To: Members of Cabinet

Councillor Chris Watkins (Leader)	-	Housing
Councillor Jill Sheppard (Deputy Leader)	-	Environment and Public
Councillor Steve Hey	-	Resources and Customer Service
Councillor Tim Jenkins	-	Leisure, Communities and Health
Councillor Nicola King	-	Business and Regeneration
Councillor Robert Roze	-	Planning and Enforcement

Observer

Leader of the Main Opposition Group	-	Councillor Kris Wilson
-------------------------------------	---	------------------------

AGENDA

PART I

PUBLIC BUSINESS

1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds, please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Lloyds Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

I would also advise that all or part of the meeting will be live streamed and recorded for future broadcast.

2. APOLOGIES - To receive apologies for absence from the meeting.

3. DECLARATIONS OF INTEREST

To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**Page 6**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Committee Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit and Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

4. MINUTES - To confirm the minutes of the Cabinet meeting held on the 22nd May 2024 (**Page 7**).

5. PUBLIC CONSULTATION – Members of the Public will be given the opportunity to speak on specific agenda items, if notice has been received.

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The Chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The Chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or officers and if after a warning issued by the Chair, the speaker persists, they will be asked to stop speaking by the Chair.

The Chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the Chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

6. COMPLAINT HANDLING CODE SELF-ASSESSMENT & HOUSING COMPLAINTS ANNUAL REPORT 2023/24 – report of the Assistant Director – Social Housing and Community Safety **(Page 11) (Appendix A is to follow)**
7. NBBC PRODUCTIVITY PLAN – report of the Strategic Director - Corporate Resources attached **(Page 82)**
8. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY PANELS
None
9. ANY OTHER ITEMS - which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified)

Nuneaton and Bedworth Borough Council

Building A Better Borough

Nuneaton and Bedworth 2032: working in partnership, restoring pride in our borough

AIM 1: LIVE

We want to make our borough a place where our residents enjoy living and in which others choose to make their home.

Priority 1: Promote residents' health and wellbeing

Priority 2: Enable appropriate housing development

Priority 3: Sponsor a sustainable green approach

Priority 4: Prioritise community safety and empowerment

AIM 2: WORK

Using our prime location within the national road and rail networks and responding to the needs of private companies, we want to make our borough a place in which businesses choose to locate and where our residents enjoy a range of employment options.

Priority 1: Grow a strong and inclusive economy

Priority 2: Champion education and skills

Priority 3: Embrace new and emerging technology

Priority 4: Support local businesses

AIM 3: VISIT

Taking advantage of our open green spaces, our heritage, and our location within the West Midlands, we want our borough to be a vibrant destination for residents and visitors alike. A place where people and families want to spend time relaxing, socialising and taking part in leisure and cultural activities.

Priority 1: Create vibrant and diverse town centres

Priority 2: Stimulate regeneration

Priority 3: Celebrate and promote our heritage

Priority 4: Improve the physical environment

Cabinet - Schedule of Declarations of Interests – 2024/2025

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	S. Hey	Director – - Heywire Ltd - Brilliant Bookings Ltd		
	T. Jenkins	Managing Partner – Gribblybugs LLP	The Labour Party (sponsorship) - Committee Member of Warwickshire Amphibian & Reptile Team - Member of Warwickshire Wildlife Trust - Member of Equity – Trade Union	
	N. King	Employed by Love Hair and Beauty		
	R. Roze	Director – InfiniTEN Ltd		
	J. Sheppard		Director - Wembrook Community Centre	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
			Member of Labour Party	
	C.M. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL) 	

NUNEATON AND BEDWORTH BOROUGH COUNCIL

CABINET

22nd May 2024

A meeting of Cabinet was held on Wednesday 22nd May, 2024 in the Council Chamber at the Town Hall.

Present

Councillor C. Watkins (Leader and Housing)
Councillor J. Sheppard (Deputy Leader and Environment & Public Services)
Councillor S. Hey (Resources & Customer Services)
Councillor T. Jenkins (Leisure, Communities and Health)
Councillor R. Roze (Planning & Enforcement)
Councillor N. King (Business and Regeneration)

CB01 Apologies

None

CB02 Declarations of Interest

RESOLVED that the Declarations of Interest for this meeting are as set out in the Schedule attached to these minutes with the amendment in Councillor J. Sheppard declarations as follows:

‘Removal of Partnership Member of Hilltop and Caldwell Big Local from her declarations.’

CB03 Minutes

RESOLVED that the minutes of the Cabinet meeting held on 10th April 2024, be approved, and signed by the Chair.

CB04 Validation Checklist for Planning Applications

The Assistant Director – Planning submitted a report seeking approval to start a consultation on the Validation Checklist for Planning Applications.

RESOLVED that

- a) a consultation on a validation checklist for planning applications be approved;
- b) as part of the overall consultation, the draft validation checklist for planning applications be distributed to all NBBC members for comment and feedback
- c) Delegated Authority be given to the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Enforcement to allow amendments to the document in response to the consultation;
- d) Delegated Authority be given to the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Enforcement to take the final document direct to Council for approval to enable adoption; and

- e) the item be marked not for call in in order to meet the deadline for July full council

Speakers:

Mr Keith Kondakor

Options

- 1) to approve permission to consult.
- 2) to refuse the permission to consult and refuse delegated authority for amendments and to take direct to Council for approval.

Reasons

Through having a validation checklist, the council will improve processes by making a more effective and efficient decision-making system. On the basis of these improvements, it is recommended that permission is given to go out to consultation on a proposed validation checklist.

CB05 Tenant Satisfaction Measures

The Assistant Director – Social Housing & Community Safety submitted a report to Cabinet with an update following the results of the Tenant Satisfaction Measures (TSM's) 2023/24.

RESOLVED that

- a) the content of the report be noted;
- b) the Assistant Director – Social Housing and Community Safety be required to work with the Portfolio Holder for Housing and the Strategic Director for Housing and Community Safety, to utilise the results of the TSM's to improve services and service delivery; and
- c) the Assistant Director – Social Housing & Community Safety be required to consult with the appropriate Scrutiny Panel upon any such service and/or service delivery improvements identified.

Speakers:

Mr Keith Kondakor

Options

To note the content outlined in the report.

Reasons

The Government's Charter for Social Housing Residents (Social Housing White Paper – 2020) set out a commitment for the Regulator of Social Housing to bring in a set of annual TSMs for all social housing landlords. The aim of the measures is to provide tenants and the Regulator with clear and comparable information about a landlords' performance. This data will help tenants hold their landlords to account and will also be used by the Regulator in their role of assessing how well social housing landlords in England are doing at providing good quality homes and services. The subsequent Social Housing (Regulation) Act 2023 formally incorporated these requirements.

CB06 **Recommendations From Overview and Scrutiny Panels**

None

CB07 **Any Other Items**

None

Chair

PUBLICATION DATE: 24TH MAY 2024

DECISIONS COME INTO FORCE: 4TH JUNE 2024

Cabinet - Schedule of Declarations of Interests – 2024/2025

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	S. Hey	Director – - Heywire Ltd - Brilliant Bookings Ltd		
	T. Jenkins	Managing Partner – Gribblybugs LLP	The Labour Party (sponsorship) - Committee Member of Warwickshire Amphibian & Reptile Team - Member of Warwickshire Wildlife Trust - Member of Equity – Trade Union	
	N. King	Employed by Love Hair and Beauty		
	R. Roze	Director – InfiniTEN Ltd		
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local.	
			Director of Wembrook Community Centre.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
			Member of Labour Party	
	C.M. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL) 	

Cabinet

Report Summary Sheet

Date:	19th June 2024
Subject:	Complaint Handling Code Self-Assessment & Housing Complaints Annual Report 2023/24
Portfolio:	Housing
From:	Assistant Director- Social Housing and Community Safety

Summary:

The Social Housing (Regulation) Act 2023 empowered the Housing Ombudsman (HOS) to issue a code of practice (the Code) about the procedures Landlords of the Scheme should have in place for considering complaints. It also placed a duty on the HOS to monitor compliance with a code of practice that it has issued. The HOS consulted on the Code and their intended approach to the duty to monitor in late 2023. The statutory Code came into effect on 1 April 2024 and the HOS duty to monitor compliance commenced at the same time.

In order to comply with the Code, the social housing service is required to compile and submit a Complaint Handling Code Self-Assessment & Housing Complaints Annual Report for the period 2023/24, by the 30th June 2024. The Self-Assessment and Annual report are attached to the report at APPENDIX A.

In addition, the Council must appoint a suitably senior lead person as accountable for its complaint handling – this is the responsibility of the Assistant Director – Social Housing & Community Safety. It is a further requirement that a member of Cabinet must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. Referred to as the Member Responsible for Complaints (the MRC), they will be responsible for ensuring that Cabinet and the Housing and Communities Overview and Scrutiny Panel receives regular information on complaints that provides insight on the Council’s complaint handling performance. A copy of the requirements of the post is attached at Appendix B.

Recommendations:

- 2.1 The contents of the Housing Complaints Annual Report and Complaint Handling Code Self-Assessment attached at **Appendix A** are noted by Cabinet.
- 2.2 That, noting the requirements of the HOS, Cabinet receives comments from the Housing and Communities Overview and Scrutiny Panel, held on 6th June 2024.
- 2.3 That Cabinet make comment as per the requirements of the HOS.
- 2.4 That Cabinet endorse the appointment of the Portfolio Holder for Housing as the Member Responsible for Complaints (MRC). A copy of the requirements of the post is attached at **Appendix B**.

Options:

- 1. Endorse the contents of the Annual Report, Self-Assessment and MRC as appended to the report.
- 2. Seek amendments following consideration of the report.
- 3. Reject the any or all of the recommendations.

Reasons:

- 1. The Council is statutorily required to submit a Housing Complaints Annual Report and Complaint Handling Code Self-Assessment. Failure to do so will result in non-compliance with regulations, resulting in regulatory action by the HOS.

Consultation undertaken with Members/Officers/Stakeholders

Portfolio Holder- Housing
Strategic Director- Housing and Community Safety

Subject to call-in: Yes

Ward relevance: Borough wide

Forward plan: Yes

Building a Better Borough Aim: 1

Live

Building a Better Borough Priority: 1

Promote residents' health and wellbeing

Relevant statutes or policy:

Social Housing (Regulation) Act 2023.

Equalities Implications:

None

Human resources implications:

None

Financial implications:

None directly related to this report. However, financial implications may be identified for any future service amendments or enhancements identified via the approach to assessment and analysis of complaints.

Health Inequalities Implications:

None directly related to this report.

Section 17 Crime & Disorder Implications:

None directly related to this report.

Risk management implications: none

Environmental implications: none

Legal implications: The Council will be compliant with regulatory requirements by submitting the Housing Complaints Annual Report and Complaint Handling Code Self-Assessment.

Contact details:

Nicola Botterill: Assistant Director-Social Housing and Community Safety
02476 376523

AGENDA ITEM NO.6

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet – 19th June 2024

From: Nicola Botterill – Assistant Director, Social Housing & Community Safety

Subject: Complaint Handling Code Self-Assessment & Housing Complaints Annual Report 2023/24

Portfolio: Housing (Cllr C Watkins)

Building a Better Borough Aim: 1

Building a Better Borough Priority: 1

1. Purpose of Report

1.1 This report provides the details of the social housing Complaint Handling Code Self-Assessment 2023/2024, along with the Housing Complaints Annual Report for 2023/2024, both of which must be submitted to the Housing Ombudsman Service (HOS) by 30th June 2024.

2. Recommendations

2.1 The contents of the Housing Complaints Annual Report and Complaint Handling Code Self-Assessment attached at **Appendix A** are noted by Cabinet.

2.2 That, noting the requirements of the HOS, Cabinet receives comments from the Housing and Communities Overview and Scrutiny Panel, held on 6th June 2024.

2.3 That Cabinet make comment as per the requirements of the HOS.

2.4 That Cabinet endorse the appointment of the Portfolio Holder for Housing as the Member Responsible for Complaints (MRC). A copy of the requirements of the post is attached at **Appendix B**.

3. Background

3.1 On 1st January 2021, the Housing Ombudsman Service (HOS) introduced a new Complaint Handling Code (the Code) providing a 'framework for high-quality complaint handling and greater consistency across landlords' complaint procedures'.

- 3.2 The Social Housing (Regulation) Act 2023 (the Act) empowered the Housing Ombudsman to issue a code of practice about the procedures Landlords of the Scheme should have in place for considering complaints. It also placed a duty on the HOS to monitor compliance with a code of practice that it has issued. The HOS consulted on the Code and their intended approach to the duty to monitor in late 2023. The statutory Code came into effect on 1 April 2024 and the HOS duty to monitor compliance commenced at the same time.
- 3.3 The HOS expects all social housing Landlords to comply with all provisions in the Code, as this represents best practice in complaint handling. Where the HOS finds an organisation has deviated from the Code in policy or practice, it may use its powers to put matters right and ensure compliance with the Code. Where a landlord's policy does not comply with the Code, it must provide a detailed explanation for non-compliance in its self-assessment and the date by which it intends to comply.
- 3.4 The HOS requires all landlords to have strong local complaint handling and a positive complaint handling culture – resolving complaints earlier and potentially without referral to the HOS extends fairness to the benefit of all tenants. This also leads to better services and strengthens relationships with tenants. The HOS will use the duty to monitor compliance to further these aims by supporting better practice and providing opportunities for landlords to demonstrate complaint handling improvements.
- 3.5 In preparation for the commencement of the Code, a thorough review of the approach of the social housing service was undertaken. As a result, a number of working practises were amended to ensure that our social housing teams meet the requirements of the Code. Additionally, where further work is required, that the necessary steps are being taken to ensure we are fully complaint. One of those steps was to implement a new Housing Policy, which can be found at **Appendix C NBBC Complaint Policy & Procedure**.

4. Self-assessment, reporting and compliance

- 4.1 It is a requirement for the Council to produce a social housing Complaints Annual Performance and Service Improvement Report for scrutiny and challenge, which must include:
- a) the annual self-assessment against the Code to ensure the Council's complaint handling policy remains in line with its requirements.
 - b) a qualitative and quantitative analysis of the Council's complaint handling performance. This must also include a summary of the types of complaints the Council has refused to accept;

- c) any findings of non-compliance with this Code by the Ombudsman;
- d) the service improvements made as a result of the learning from complaints;
- e) any annual report about the Council's performance from the Ombudsman; and
- f) any other relevant reports or publications produced by the Ombudsman in relation to the work of the Council.

- 4.2 The annual complaints performance and service improvement report must be reported to Cabinet and the Housing and Communities Overview and Scrutiny Panel. It must also be published on the section of the Council's website relating to complaints. Cabinet and the Housing and Communities Overview and Scrutiny Panel's responses to the report must be published alongside this.
- 4.3 It is also a requirement for the Council to carry out a self-assessment following a significant restructure, merger and/or change in procedures and the Council may also be asked to review and update the self-assessment following an HOS investigation.
- 4.4 If the Council is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, it must inform the Ombudsman, provide information to tenants who may be affected, and publish this on our website.

5 Scrutiny and oversight: continuous learning and improvement

- 5.1 It is a requirement for the Council to 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. A positive complaint handling culture is integral to the effectiveness with which the Council resolves disputes.
- 5.2 Accountability and transparency are also integral to a positive complaint handling culture. The Council must report back on wider learning and improvements from complaints to stakeholders, such as tenant panels, staff and relevant committees.
- 5.3 The Council must appoint a suitably senior lead person as accountable for its complaint handling – this is the responsibility of the Assistant Director – Social Housing & Community Safety. The Assistant Director – Social Housing & Community Safety must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision. In addition to this, a member of Cabinet must be appointed to have lead responsibility for complaints to support a positive complaint handling culture.
- 5.4 This person is referred to as the Member Responsible for Complaints ('the MRC'). The MRC will be responsible for ensuring that Cabinet and the Housing & Communities Overview and Scrutiny Panel receives

regular information on complaints that provides insight on the Council's complaint handling performance. The nominated person must have access to suitable information and staff to perform this role and report on their findings. As a minimum, the MRC, Cabinet and the Housing and Communities Overview and Scrutiny Panel must receive:

- a) regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance;
- b) regular reviews of issues and trends arising from complaint handling;
- c) regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and
- d) the annual complaints performance and service improvement report.

5.5 In order to meet the above requirements, a Housing Key Performance Indicators report, will be presented to the Housing and Communities Overview and Scrutiny Panel 3 times per year. The MRC will receive a Key Performance report on a monthly basis.

5.6 The Council must also have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:

- a) have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;
- b) take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and
- c) act within the professional standards for engaging with complaints as set by any relevant professional body.

6. Conclusion

6.1. The self-assessment of the Council's current complaints process against the expectations set out in the Code, (in addition to the completion of the Housing Complaints Annual Report), have provided a great opportunity for the Council to review its current processes and procedures in the way it handles housing complaints. As a result, changes to working processes have been implemented, for example, letter templates being reviewed and amended, a new Housing Complaints Policy being implemented, changes being made to the Council's corporate complaints system, amongst other new initiatives.

6.2 This process has also resulted in the Housing & Community Safety directorate embedding best practice in Complaints handling to provide a better service and outcomes for our tenants and teams will continue to ensure that we are fully compliant with the Code.

Background papers

Housing Ombudsman Service Complaint Handling Code The Complaint Handling Code | Housing Ombudsman Service (housing-ombudsman.org.uk)

NICOLA BOTTERILL

Member Responsible for Complaints (MRC)

Induction Pack

The [Housing Complaint Handling Code](#) requires landlords to have a Member Responsible for Complaints (MRC) on their governing body to provide assurance to the governing body on the effectiveness of its complaints system, including challenging the data and information provided to the Board or equivalent body.

This pack contains details about the role of the Member Responsible for Complaints under the following topics:

- What is a Member Responsible for Complaints?
- Who should the Member Responsible for Complaints be?
- What is the Ombudsman looking for in the Member Responsible for Complaints?
- How can the MRC drive a positive complaints culture in organisations?
- Why is the role so important?
- How engaged in the self-assessment should the role be?
- Expectations for the Member Responsible for Complaints role.
- Other helpful information and guidance.

What is a Member Responsible for Complaints?

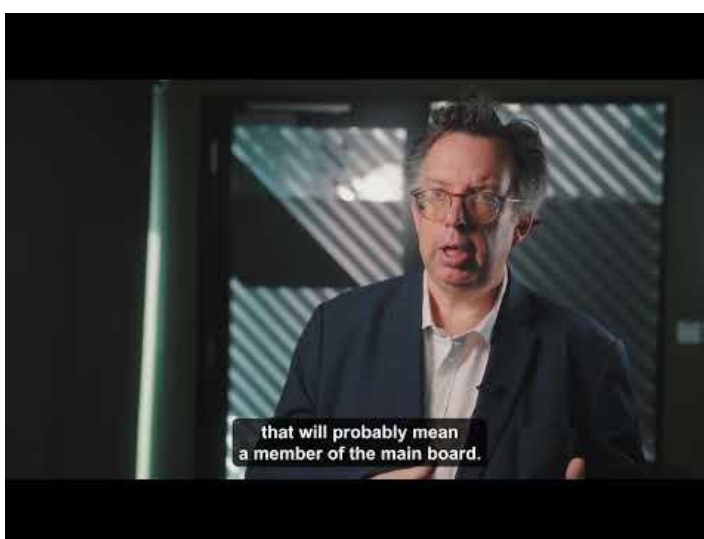
The expectation is that the MRC is responsible for ensuring that complaint handling drives service improvement for residents and learning and business improvement for the organisation.

The role of the MRC is to champion a positive complaint handling culture and build effective relationships with complaints teams, residents, its audit and risk committees as well wider teams and the Housing Ombudsman Service.

The MRC should be looking to seek assurances from the complaints team and where appropriate the operational teams that complaints are being managed, change is happening and that residents are being heard through the process.

Who should the Member Responsible for Complaints be?

The Housing Ombudsman, Richard Blakeway, has provided a suite of short videos about the role of the MRC.



What is the Ombudsman looking for in a Member Responsible for Complaints?

The Ombudsman is looking to the MRC to promote a culture of openness and transparency in relation to complaints made by residents. To provide assurance that systems are in place to capture learning from complaints, that governing bodies are engaged with this and to ensure senior level ownership of learning and accountability stemming from complaints.



How can the MRC drive a positive complaints culture in organisations?

The MRC is responsible for creating a culture where senior management regularly review issues and trends arising from complaint handling with themes or trends being assessed and reported to the governing body, which identify potential systemic issues, serious risks or policies and procedures that require revision.

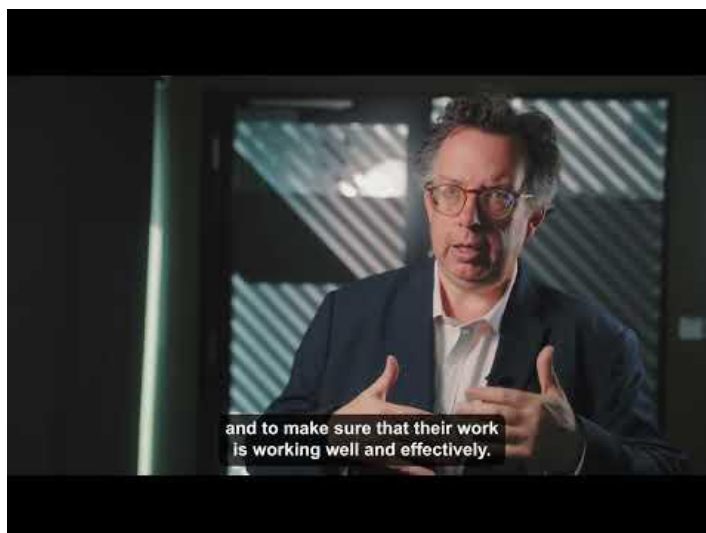


The role should encourage a culture of effective cross-organisational and cross-department learning where operational teams collaborate with each other to produce improved service delivery.

Why is the role so important?

It is essential for landlords to have a positive complaint handling culture and the Member Responsible for Complaints can make sure that happens.

The MRC is responsible for creating a culture where senior management regularly review issues and trends arising from complaint handling with themes or trends being assessed and reported to the governing body, which identify potential systemic issues, serious risks or policies and procedures that require revision.



How engaged in the self-assessment should the role be?

The self-assessment is the key tool for the Member Responsible for Complaints to be assured that the landlord is fulfilling its obligations on the Code.

There are many different ways landlords have used their self-assessments to really analyse their complaint handling performance, such as involving residents. It is really important that the MRC sees the evidence that supports the answers within the self-assessment. The role holder should also be able to help the Chair of the Board to facilitate the subsequent discussion on the self-assessment.



Expectations for the Member Responsible for Complaints role

Purpose

The statutory Complaint Handling Code requires landlords to have a Member Responsible for Complaints on their governing body.

The role is to champion a positive complaint handling culture. To provide assurance to the governing body on the efficacy of its complaints system, including challenging the data and information provided to the Board. To seek assurances from the complaints team and where appropriate the operational teams that complaints are being managed, change is happening and that residents are being heard through the process. To ensure complaint handling promotes service improvement for residents and learning and business improvement for the organisation.

Responsibilities - Governing Body Assurance

1. To promote a culture of openness and transparency where complaints made by residents are seen as form of insight into the how the organisation is managed. To provide assurance that systems are in place to capture learning from complaints and that governing bodies are engaged with this. To ensure senior level ownership of learning and accountability stemming from complaints.
2. To provide assurance to the governing body, through engagement with operational teams, that complaints are valued as an opportunity to learn, to give an early warning of ineffective processes, policies, or behaviours, to identify areas for improvement and to improve awareness and accessibility; and how this is happening across the organisation.
3. To engage with the chair of the audit and risk committee, or equivalent, to discuss any risks emerging from complaints and any recommendations for improvement in service areas which may be relevant to internal audit's activities.
4. To engage in, oversee, and ratify the annual self-assessment against the Complaint Handling Code, providing assurance that an accurate self-assessment is produced and published each year. This may include engaging residents in the self-assessment exercise.
5. To alert the governing body of any concerns they have about the handling of complaints, the substantive issues giving rise to complaints, or the outcome of an individual complaint.
6. To ensure the whole governing body understands its responsibilities to deliver a positive complaint handling culture and that complaints are given the status they deserve within the senior leadership's work.

Responsibilities - Complaint Handling Code

7. To review the communication of the landlord through its complaints to ensure it is empathetic, effective, and appropriate.
8. To gain assurance of the organisation's timely compliance with Housing Ombudsman evidence requirements and orders promoting an organisation wide culture that demonstrates the learning and the changes to services that are provided for residents.
9. To promote a culture where every employee supports effective complaint handling, where complaint handlers have the authority and respect within the organisation to help put things right when they go wrong. This should also extend to where landlords use contractors and other service providers. To have a visible presence that is organisation wide and has access to individual staff members to be able to 'test' that proactive complaint handling is embedded across all staff.
10. To gain assurance following the self-assessment, that the complaints team has the resources available to fulfil its obligations.
11. To receive regular updates on the volume, categories, and outcome of complaints, alongside complaint handling performance and take an inquisitorial approach when reviewing this information. The aim is to ensure that information presented to the governing body, provides sufficient assurance of a well-managed and customer focused complaints handling culture.

Responsibilities - Learning

12. To commission from the executive a self-assessment against Housing Ombudsman Spotlight reports and future good practice and facilitate a discussion with the governing body on how the organisation can learn and improve from its recommendations. This should include consideration of relevant policies and procedures.
13. To require intelligence provided by the Housing Ombudsman is used to develop and improve services, gaining assurance that recommendations are actioned and, where necessary, reviewing policies, procedures and approaches to service delivery following Ombudsman reports.
14. To encourage a culture of effective cross-organisational and cross-department learning where operational teams collaborate with each other to produce improved service delivery.
15. To encourage a culture where senior management regularly review issues and trends arising from complaint handling with themes or trends being assessed and reported to the governing body, which identify potential systemic issues, serious risks or policies and procedures that require revision. To gain assurance that where revision or change is required, this is followed through and communicated to the governing body and that residents are central to any change.

Other helpful information and guidance

For further information and to any queries regarding the role of the MRC, the Housing Ombudsman has published [Frequently Asked Questions](#) on their website.

Best practice guidance for landlords on championing a positive complaints culture and effective involvement of governing bodies - [Effective Involvement of Governing Bodies: Best Practice Guidance for Landlords](#)

[Housing Ombudsman's Centre for Learning.](#)



Housing Complaints Policy

Issued by Housing & Community Safety

March 2024

1. Introduction

- 1.1 Nuneaton and Bedworth Borough Council is committed to providing the highest standard of service to all our customers, however, we acknowledge that despite our best intentions, things do sometimes go wrong. When this happens we want to put things right. We want our customers to be satisfied with our service. We welcome hearing your comments, compliments and complaints, to better understand how you view our services and how we can learn and improve for the future.
- 1.2 This document provides the framework for ensuring that complaints are handled consistently, fairly, effectively, confidentially, in a timely manner, and in line with the obligations set out in the [Housing Ombudsman Service](#) (HOS) Complaint Handling Code. The Code also acts as a guide for tenants setting out what they can and should expect from the Council when they make a formal complaint.
- 1.3 The following procedures explain what to do if you are dissatisfied with the quality of our services, what standards you can expect when you make a formal complaint, and what you can do if you remain dissatisfied.
- 1.4 We will investigate your complaint, give you an explanation and make every effort to resolve the matter as quickly as possible to your satisfaction. If we have made a mistake, or the problem has been caused by us, we will apologise.
- 1.5 This document will apply to all. Nuneaton and Bedworth Borough Council is committed to promoting equality of opportunity and to eliminating unlawful discrimination on the grounds of race, age, disability, gender, sexual orientation, religion, belief, class, financial status and any other difference that can lead to discrimination or unfair treatment.
- 1.6 The Council can produce this document in large print, braille or in a different language if required.
- 1.7 This document will be reviewed every year or on the introduction of new legislation, regulation or good practice guidance.

2. Customer Satisfaction

- 2.1 This document is designed to give satisfaction to our customers, either directly in the way that services are delivered or in the way that their complaints are handled. A customer should expect to receive:
 - a professional, polite and courteous approach;
 - open, friendly and truthful employees;
 - employees should identify themselves by name and job function and be recognised as Council employees;
 - employees should take ownership of an enquiry, not pass customers around;
 - full attention to the complaint or enquiry;

- employees should exercise discretion and confidentiality;
- a clear understanding of what will happen next and an indication of when it will happen including updates on a regular basis, easy to understand responses without jargon, given promptly or within published timescales;
- employees should keep appointments and be on time;
- customers should be aware of their rights and given correct relevant information where it is available;
- customers should know how to make a complaint about the Council's Housing Service if necessary; and
- most importantly all customers should be treated equally in accordance with the Council's Policies, core values and key aims and objectives.

2.2 In return the Council is entitled to expect its customers to deal honestly and openly with it on all matters.

3. Communication

3.1 Good communication, both internally within the Council and externally with its customers, is vital to a successful complaints service.

3.2 It is important that employees have a good understanding of the policies that affect their area of work or operation so that these can be clearly and accurately explained to customers when necessary.

3.3 It is important that our customers understand what can or cannot be done in relation to their problem or complaint. If we cannot help you, we will explain why, and direct you to where you may be able to find further help.

3.4 We encourage, wherever possible, a two-way communication process. Our customers are encouraged to respond:

- if the problem re-occurs;
- if further explanation or clarification is required;
- if a person is dissatisfied; or
- to let us know how we are doing; including positive comments.

3.5 Particular care will be paid to the needs of those customers who find communication difficult due to language barriers or sensory impairment, and appropriate assistance offered.

4. What is a Complaint

4.1 A complaint is any expression of dissatisfaction about the service the Council has delivered, any action or lack of action. The Housing Ombudsman's Complaint Handling Code defines a complaint as:

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 an individual resident or group of residents.

4.2 Complaints may be about:

- the fairness or professionalism of interaction with officers;
- a failure to do something we should have done;
- a refusal to provide a service or the delivery of a poor service;
- the failure to follow the correct policy or procedure;
- an observation about our service or people which requires action; or
- a suggestion about how things can be improved.

4.3 The following issues are **not** defined as a complaint:

- [General comments or feedback.](#)
- [Requests for information.](#)
- An expression of dissatisfaction with services made through a survey.
- [First requests for a service or first reports on faults.](#) See paragraph 4.4 below.
- Occasions where the Council have not been made aware of a customer's dissatisfaction and have not been given an opportunity to resolve the matter.
- Matters that would be more appropriately considered by an insurer.
- Legal proceedings have started, ie details of the claim such as the Claim Form and Particulars of Claim have been filed at court.

4.4 Customers are asked to note that there is a difference between a [service request](#) and a complaint. Service requests are not complaints but will be recorded, monitored and reviewed regularly by the Council. The Housing Ombudsman's Complaint Handling Code states that:

A service request is a request requiring action to provide or improve a service, fix a problem or reconsider a decision.

The Council should be given the opportunity to deal with a service request before a formal complaint is made, however a complaint will be raised if the resident raises dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing.

4.5 We have a duty to accept and deal with your complaint unless there is a valid reason not to do so, for example:

- your complaint falls into one or more of the above exclusions (see paragraph 4.3);
- the issue giving rise to your complaint occurred more than 12 months ago;
- legal proceedings have commenced; or
- the matter has previously been considered under the Council's complaint policy.

- 4.6 If for any reason the Council decides not to deal with your complaint under this procedure, we will provide you with a detailed explanation in writing of the reasons why the matter is not suitable for the complaints process. If you disagree with this outcome you do have the right to take that decision for consideration by the Housing Ombudsman. See Section 7 for details of how to contact the Housing Ombudsman.
- 4.7 Residents have the opportunity to give permission for a representative to deal with their complaint on their behalf. A complaint that is submitted via a third party or representative will be handled in line with this complaint policy and procedure.

5. How to make a formal complaint

5.1 Our priority is to resolve concerns as soon as they come to our attention. The Council encourages any resident or service user who has a concern to first approach the team or member of staff in the relevant service area. If there has been a problem the member of staff should try to resolve it. However, if after raising your concerns you remain dissatisfied with the proposed resolution, you can make a formal complaint to the Council in the following ways:

- Via the [Councils website](#)
- By emailing customer services at customer.services@nuneatonandbedworth.gov.uk
- By contacting an officer directly.
- By telephoning 024 7637 6376.
- By letter.
- In person at the Town Hall by pre-booking an appointment. The Town Hall is open from 10 a.m. – 2 p.m. for pre-booked appointments only.
- By Typetalk (0800 515 152).
- Through your local Councillor, Solicitor, nominated friend or relative.

5.2 The Council can also accept complaints anonymously and will still investigate the matter, even though it cannot respond to the complaint formally.

6. What will happen when I make a complaint?

6.1 When the Council receives a formal complaint from a customer, the nature and type of the complaint is assessed by one of our nominated and trained Complaints Handling Officers, who will:

- clarify with the individual any aspects of the complaint they are unclear about;
- deal with complaints on their merits;
- give the individual a fair chance to set out their position;
- take measures to address any actual or perceived conflict of interest;
- consider all information and evidence carefully; and
- keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.

6.2 An acknowledgement of receipt of the complaint will be sent to the customer **within five working days**, confirming that the complaint has been logged, the complaint definition, and that it has been submitted to the relevant service officer for investigation under **Stage 1** of the complaint procedure.

Stage 1

6.3 Your complaint will be logged and given a unique complaint number which will be used until your complaint is resolved. This ensures that progress of the investigation can be monitored, and will also assist you, if for some reason you need to contact the Council again about the matter.

6.4 In order to resolve the issue as soon as possible, you will receive a response to your complaint as soon as it is known, or within **10 working days** following the case being logged and acknowledged. Exceptionally, for more complex cases, the response time may need to be extended for a **maximum of a further 10 working days**, however for those cases you will be given an explanation as why the extension is required and a clear timeframe for the response.

6.5 If further information is required from you to assist the investigation, the response timeframe will be put on hold until such information has been received. You will be notified once all the necessary information has been received and your complaint has been reopened and progressed further.

6.6 A written response to the complaint will be sent to the customer, addressing all the points raised in the complaint and providing clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate. Any subsequent agreed actions will be tracked and regular updates will be provided to the customer until completion. The written response will contain:

- the complaint stage;
- the complaint definition;
- the decision on the complaint;
- the reasons for any decisions made;
- the details of any remedy offered to put things right;
- details of any outstanding actions; and
- details of how to escalate the matter to Stage 2 if the individual is not satisfied with the response.

6.7 If the Council has got something wrong, the complaint will be recorded as being upheld, even if there are elements of the complaint it has not upheld, as it is not appropriate for a complaint to be recorded as partially upheld. See Section 8 on putting things right.

6.8 If an early resolution at Stage 1 has been unsuccessful, a customer can request that the complaint be escalated to a Senior Manager for a formal response under **Stage 2** of the complaints process. Please note: complaints can only be

escalated to Stage 2 once Stage 1 has been completed and at the request of the Customer.

Stage 2

- 6.9 If you are not satisfied with the outcome of your complaint at Stage 1, then you can request that your complaint be escalated to Stage 2 of the complaints procedure. You are not required to explain your reasons for requesting a Stage 2 consideration. Your complaint will now be escalated to a Senior Manager for further investigation and response. The officer considering the complaint at Stage 2 will not be the same person that investigated the matter at Stage 1.
- 6.10 Requests for Stage 2 will be logged and acknowledged within **five working days** of the escalation request being received.
- 6.11 A stage 2 response will be provided as soon as possible or within **20 working days** of your request that the complaint be escalated to Stage 2. Exceptionally, for more complex cases and with a valid reason, the timeframe could be extended a further 20 working days, however this is only with the agreement of the customer.
- 6.12 A written response will be provided to the customer. In some cases it may be appropriate to first respond verbally (via telephone or face to face), followed by a written confirmation of the conversation and outcome. The Stage 2 response will be monitored by the Complaints Officer to ensure it clearly states what decision has been reached and whether the complaint has been **upheld, or partially upheld**. The written response will contain:
- the complaint stage;
 - the complaint definition;
 - the decision on the complaint;
 - the reasons for any decisions made;
 - the details of any remedy offered to put things right;
 - details of any outstanding actions; and
 - details of how to escalate the matter to the Housing Ombudsman Service if the individual remains dissatisfied.
- 6.13 Where a complaint is **not upheld** at Stage 2 the response will provide:
- background information relevant to the complaint; and
 - an explanation of the decision.
- 6.14 The Stage 2 response will be the Council's **final response** and will advise the complainant of their right to escalate matters to the Housing Ombudsman, should they remain dissatisfied.
- 6.15 The Housing Ombudsman's Complaint Handling Code states that:
- A process with more than two stages is not acceptable under any circumstances as this makes the complaint process unduly long and delays access to the relevant Ombudsman.*

7. Contacting the Housing Ombudsman

- 7.1 The Housing Ombudsman considers and investigates complaints about poor service, failure to provide a service and administrative failure of public bodies including local authorities. The Housing Ombudsman can be contacted by a resident at any stage of the complaint process.
- 7.2 If after exhausting Stage 1 and Stage 2 of the complaints process you remain dissatisfied with the way in which your complaint has been handled, you have the right to refer your complaint to the Housing Ombudsman.
- 7.3 If the Ombudsman agrees your complaint aligns with their authority, they will contact the Council and request the information needed to begin an investigation. Once the Ombudsman has completed the investigation, they will issue their findings, known as a determination. The Ombudsman cannot provide a timescale for how long the investigation will take as it varies on a case-by-case basis.
- 7.4 The Housing Ombudsman is on hand to offer support and guidance to Landlords and Customers throughout the complaints process and can be contacted by using the following details:

[The Housing Ombudsman](#)

Complaint form: Fill in the [online complaint form](#)

Email: info@housing-ombudsman.org.uk

Phone: 0300 111 3000 - Calls are recorded for training and monitoring purposes.

Write: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

Fax: 020 7831 1942

8. Putting things right

- 8.1 When a complaint is upheld, the Council will acknowledge things have gone wrong and set out the actions it has already taken or intends to take to put things right. These include:
- Acknowledging where things have gone wrong;
 - Providing an explanation, assistance or reasons;
 - Apologising;
 - Taking action if there has been a delay;
 - Reconsidering or changing a decision;
 - Amending a record;
 - Providing a financial remedy;
 - Changing policies, procedures or practices.
- 8.2 The remedy offer will clearly set out what will happen and by when, in agreement with the resident and will be followed through to completion.

8.3 In regards to compensation, the Council will consider if any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused.

9. Relevant Legislation

- The Data Protection Act 1998 & 2018
- The Freedom of Information Act 2000
- The Human Rights Act 1998
- The Equality Act 2010

10. Self-assessment

10.1 The Council will produce and publish an annual complaints performance and service improvement report, along with a response by the governing body.

10.2 The Council will also carry out an annual self-assessment against the Code and will publish the results.

11. Review Date

11.1 Every two years or on the introduction of new legislation, regulation or good practice guidance.

Housing

Ombudsman Service

Complaint Handling Code

Date published: 08 February 2024

Date applicable: 01 April 2024

Last revised: 17 April 2024

Contents

Foreword	3
Introduction	5
Statutory powers	5
Compliance with the Code	5
Monitoring compliance with the Code	6
The Complaint Handling Code	8
1. Definition of a complaint	8
2. Exclusions	9
3. Accessibility and awareness	9
4. Complaint handling staff	10
5. The complaint handling process	11
6. Complaints stages	13
Stage 1	13
Stage 2	14
7. Putting things right	15
8. Self-assessment, reporting and compliance	16
9. Scrutiny & oversight: continuous learning and improvement	17
Appendix A: Self-assessment form	19
Section 1: Definition of a complaint	20
Section 2: Exclusions	22
Section 3: Accessibility and Awareness	24
Section 4: Complaint Handling Staff	26
Section 5: The Complaint Handling Process	27
Section 6: Complaints Stages	31
Section 7: Putting things right	36
Section 8: Self-assessment, reporting and compliance	38
Section 9: Scrutiny & oversight: continuous learning and improvement	40
Appendix B – Service request or complaint – flow charts	43

Foreword

The heartbeat of this Code is enabling a positive complaints culture across the social housing sector.

This positive culture matters regardless of size or type of landlord. It supports strong resident-landlord relationships. It means things can be put right for residents when they have gone wrong. It helps organisations to develop and improve services. And, perhaps above all, it supports the values of justice and fairness that embodies so much of the sector's social purpose.

This Code considers complaints to be more than transactions. Nonetheless, good complaint handling requires effective procedures and well-trained staff alongside a positive complaints culture that enables those procedures to achieve maximum impact. This Code sets out what landlords must do procedurally to handle complaints. Compliance with the Code is most effective within landlords that operate within established dispute resolution principles: to be fair, puts things right, and learn from outcomes.

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.

This 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.

This 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. The adoption of this statutory Code and associated duties ensures residents do not experience a postcode lottery in complaint handling.

Embracing the Code can also empower staff. Involvement in complaint resolution develops staff ownership, decision-making and engagement, and 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. Lastly, data collected about complaints can be analysed and used to inform key business decisions to drive improvement in service provision.

Landlords are expected to annually self-assess against the Code, to engage its governance in that exercise and to publish the outcome. We also encourage landlords to see this exercise as an opportunity to engage residents in setting their approach to complaints to drive a positive complaints and learning culture. This approach must be captured by the landlord in a single policy for handling complaints.

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.

Introduction

Statutory powers

The Social Housing (Regulation) Act 2023 (the Act) empowered the Housing Ombudsman to issue a code of practice about the procedures 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.

The Ombudsman consulted on the Complaint Handling Code (the Code) and our intended approach to the duty to monitor in late 2023. The statutory Code will take effect from 1 April 2024 and our duty to monitor compliance will commence at the same time.

Compliance with the Code

The Ombudsman believes all members must comply with all provisions in the Code as this represents best practice in complaint handling.

Where the Housing Ombudsman finds an organisation has deviated from the Code in policy or practice, it may use its powers to put matters right and ensure compliance with the Code. Where a landlord's policy does not comply with the Code, it must provide a detailed explanation for non-compliance in its self-assessment and the date by which it intends to comply.

Where there are exceptional circumstances which mean a landlord cannot meet specific requirements of Code, for example a small provider does not have a website, the Ombudsman will take a proportionate approach. In these circumstances, landlords must undertake all reasonable endeavours to deliver the intentions of the Code in an alternative way, for example by publishing information in a public area so that it is easily accessible.

Where a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, it must inform the Ombudsman of its reasons, provide information to residents who may be affected and publish this on their website. The landlord must provide all parties with a timescale for returning to compliance with the Code and the reasonableness of exemptions to the Code during this period may be assessed by the Ombudsman.

Monitoring compliance with the Code

The Ombudsman would like all landlords to have strong local complaint handling and a positive complaint handling culture – resolving complaints earlier and potentially without referral to the Ombudsman extends fairness to the benefit of all residents. This also leads to better services and strengthens relationships with residents. We will use the duty to monitor compliance to further these aims by supporting better practice and providing opportunities for landlords to demonstrate complaint handling improvements.

Support for improvement will be provided through the Centre for Learning, accessible via our website, which hosts an ever-growing range of tools targeted at complaints handlers, senior managers and governing bodies.

We will monitor compliance in three ways. This will involve ensuring that the landlord:

- has scrutinised and challenged its compliance with the Code at its governing body through review of its self-assessment against the Code, its complaints handling performance and its learning from complaints, and published the outcome on its website annually;
- complies with the Code in policy; and
- complies with the Code in practice.

Where a landlord does not meet the requirements in any of the areas and does not move into compliance within a reasonable timescale, the Ombudsman may issue a

Complaint Handling Failure Order (CHFO). The Ombudsman provides separate guidance on CHFOs on its website.

The Complaint Handling Code

1. Definition of a complaint

- 1.1 Effective complaint handling enables residents to be heard and understood. The starting point for this is a shared understanding of what constitutes a complaint.
- 1.2 A complaint must be defined as:
‘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.’
- 1.3 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.
- 1.4 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.
- 1.5 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 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.

2. Exclusions

- 2.1 Landlords must accept a complaint unless there is a valid reason not to do so. If a landlord decides not to accept a complaint it must be able to evidence its reasoning. Each complaint must be considered on its own merits.
- 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:
- The issue giving rise to the complaint occurred over twelve months ago.
 - 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.
 - Matters that have previously been considered under the complaints policy.
- 2.3 A landlord must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless it is 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.
- 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.
- 2.5 A landlord must not take a blanket approach to excluding complaints; it must consider the individual circumstances of each complaint.

3. Accessibility and awareness

- 3.1 Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. A landlord must consider its duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.

- 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.
- 3.3 High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.
- 3.4 A landlord must make its 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.
- 3.5 The policy must explain how the landlord will publicise details of the complaints policy, including information about 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.
- 3.7 Landlords must provide residents with information on their right to access the Ombudsman Service and how the individual can engage with the Ombudsman about their complaint.

4. Complaint handling staff

- 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.
- 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.
- 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.

5. The complaint handling process

- 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.
- 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.
- 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.
- 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 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.
- 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.
- 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.
- 5.8 At each stage of the complaints process, complaint handlers must:
 - a) deal with complaints on their merits, act independently, and have an open mind;
 - b) give the resident a fair chance to set out their position;
 - c) take measures to address any actual or perceived conflict of interest; and
 - d) consider all relevant information and evidence carefully.

- 5.9 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.
- 5.10 Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record 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.
- 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. A landlord must clearly set out these reasons, and it must comply with the provisions set out in section 2 of this Code.
- 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.
- 5.13 Landlords must have processes in place to ensure that a complaint can be remedied at any stage of its complaints process. Landlords must ensure that appropriate remedies can be provided at any stage of the complaints 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.
- 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.

6. Complaints stages

Stage 1

- 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.
- 6.2 Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure **within five working days of the complaint being received**.
- 6.3 Landlords must issue a full response to stage 1 complaints **within 10 working days** of the complaint being acknowledged.
- 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.
- 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.
- 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.
- 6.7 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.
- 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.

6.9 Landlords must confirm the following in writing to the resident at the completion of stage 1 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 stage 2 if the individual is not satisfied with the response.

Stage 2

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.

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**.

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.

6.13 The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.

6.14 Landlords must issue a final response to the stage 2 **within 20 working days** of the complaint being acknowledged.

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.

- 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.
- 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.
- 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.
- 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.
- 6.20 Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.

7. Putting things right

- 7.1 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:

- Apologising;
- Acknowledging where things have gone wrong;
- Providing an explanation, assistance or reasons;
- Taking action if there has been delay;
- Reconsidering or changing a decision;
- Amending a record or adding a correction or addendum;
- Providing a financial remedy;
- Changing policies, procedures or practices.

7.2 Any remedy offered must reflect the impact on the resident as a result of any fault identified.

7.3 The remedy offer must clearly set out what will happen and by when, in agreement with the resident 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.

8. Self-assessment, reporting and compliance

8.1 Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include:

- a) the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements.
- 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;
- c) any findings of non-compliance with this Code by the Ombudsman;
- d) the service improvements made as a result of the learning from complaints;
- e) any annual report about the landlord's performance from the Ombudsman;
and
- f) any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.

- 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.
- 8.3 Landlords must also carry out a self-assessment following a 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.
- 8.5 If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, it must inform the Ombudsman, provide information to residents who may be affected, and publish this on its website. Landlords must provide a timescale for returning to compliance with the Code.

9. [Scrutiny & oversight: continuous learning and improvement](#)

- 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.
- 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.
- 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.
- 9.4 Landlords must appoint a suitably senior lead person as accountable for its complaint handling. This person must assess any themes or trends to 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').

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.

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;
- b) regular reviews of issues and trends arising from complaint handling;
- c) regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and
- d) the annual complaints performance and service improvement report.

9.8 Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:

- a) have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;
- b) take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and
- c) act within the professional standards for engaging with complaints as set by any relevant professional body.

Appendix A: Self-assessment form

This self-assessment form should be completed by the complaints officer and it must be reviewed and approved by the landlord's governing body at least annually.

Once approved, landlords must publish the self-assessment as part of the annual complaints performance and service improvement report on their website. The governing body's response to the report must be published alongside this.

Landlords are required to complete the self-assessment in full and support all statements with evidence, with additional commentary as necessary.

We recognise that there may be a small number of circumstances where landlords are unable to meet the requirements, for example, if they do not have a website. In these circumstances, we expect landlords to deliver the intentions of the Code in an alternative way, for example by publishing information in a public area so that it is easily accessible.

Section 1: Definition of a complaint

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
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 landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.’</i>			
1.3	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.			
1.4	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			

20

	recorded, monitored and reviewed regularly.			
1.5	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 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.			

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			
2.2	<p>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:</p> <ul style="list-style-type: none"> • The issue giving rise to the complaint occurred over twelve months ago. • 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. 			

	<ul style="list-style-type: none"> Matters that have previously been considered under the complaints policy. 			
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.			
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.			
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.			

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.			
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.			
3.3	High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised 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			

24

	will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord's 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.			
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.			
3.7	Landlords must provide residents with information on their right to access the Ombudsman service and how the individual can engage with the Ombudsman about their complaint.			

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.			
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.			
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.			

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.			
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.			
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.			
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 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.			
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.			
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.			
5.8	At each stage of the complaints process, complaint handlers must: <ul style="list-style-type: none"> a. deal with complaints on their merits, act independently, and have an open mind; b. give the resident a fair chance to set out their position; c. take measures to address any actual or perceived conflict of interest; and 			

	d. consider all relevant information and evidence carefully.			
5.9	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.			
5.10	Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record 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.			
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.			
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.			
5.13	Landlords must have processes in place to ensure a 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.			
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.			
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.			

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.			
6.2	Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure <u>within five working days of the complaint being received.</u>			
6.3	Landlords must issue a full response to stage 1 complaints <u>within 10 working days</u> of the complaint being acknowledged.			
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.			
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.			
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.			
6.7	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.			
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.			
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"> 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 stage 2 if the individual is not satisfied with the response. 			

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.			
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.			
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.			
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.			
6.14	Landlords must issue a final response to the stage 2 <u>within 20 working days</u> of the complaint being acknowledged.			
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.			
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.			
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.			
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.			
6.19	Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language: <ul style="list-style-type: none"> 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. 			
6.20	Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.			

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"> • Apologising; • Acknowledging where things have gone wrong; • Providing an explanation, assistance or reasons; • Taking action if there has been delay; • Reconsidering or changing a decision; • Amending a record or adding a correction or addendum; • Providing a financial remedy; • Changing policies, procedures or practices. 			
7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.			
7.3	The remedy offer must clearly set out what will happen and by when, in agreement with the resident 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.			
-----	--	--	--	--

Section 8: Self-assessment, reporting and compliance

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"> a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements. 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; c. any findings of non-compliance with this Code by the Ombudsman; d. the service improvements made as a result of the learning from complaints; e. any annual report about the landlord's performance from the Ombudsman; and f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord. 			

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.			
8.3	Landlords must also carry out a self-assessment following a 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.			
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.			

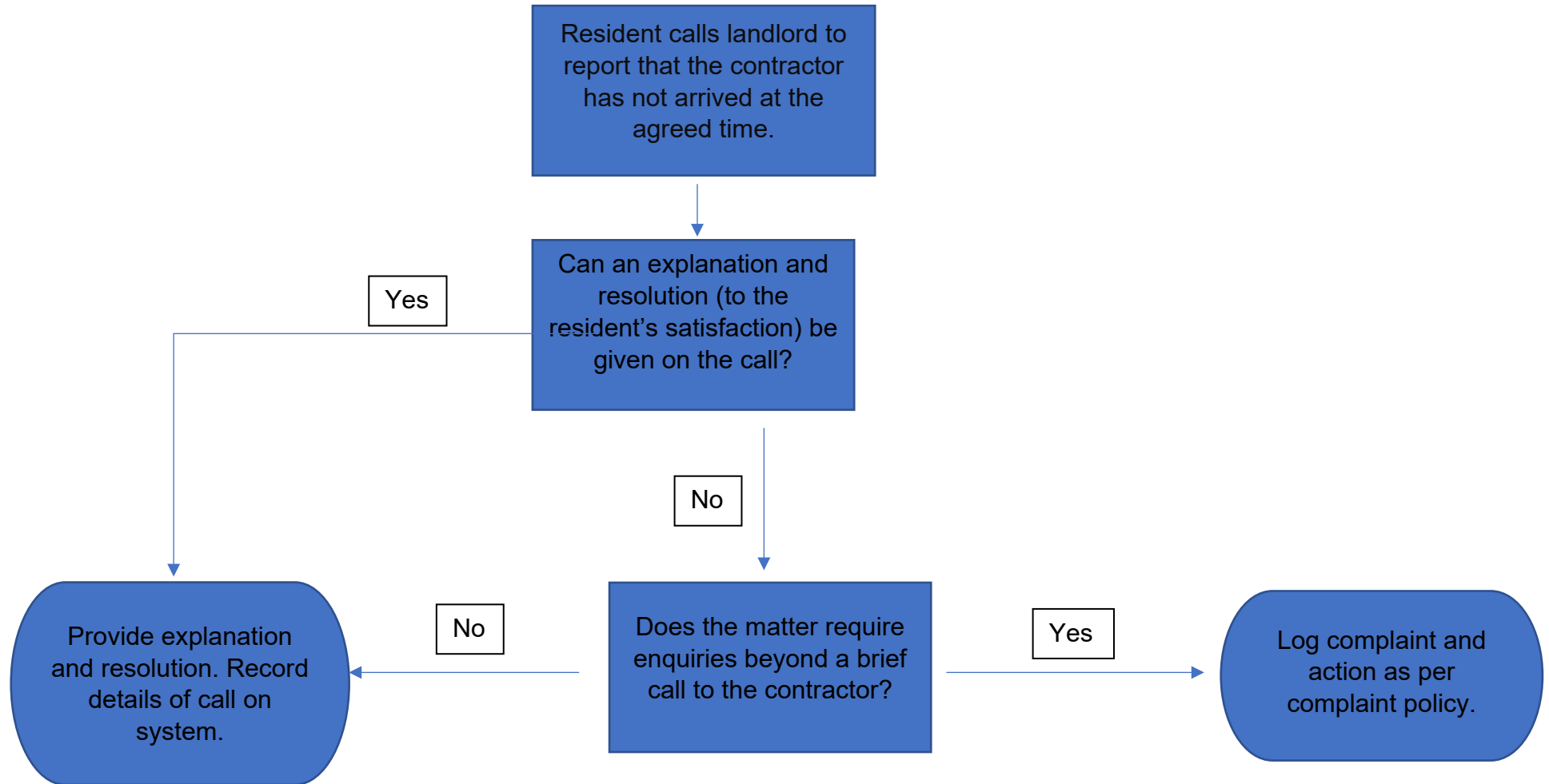
Section 9: Scrutiny & oversight: continuous learning and improvement

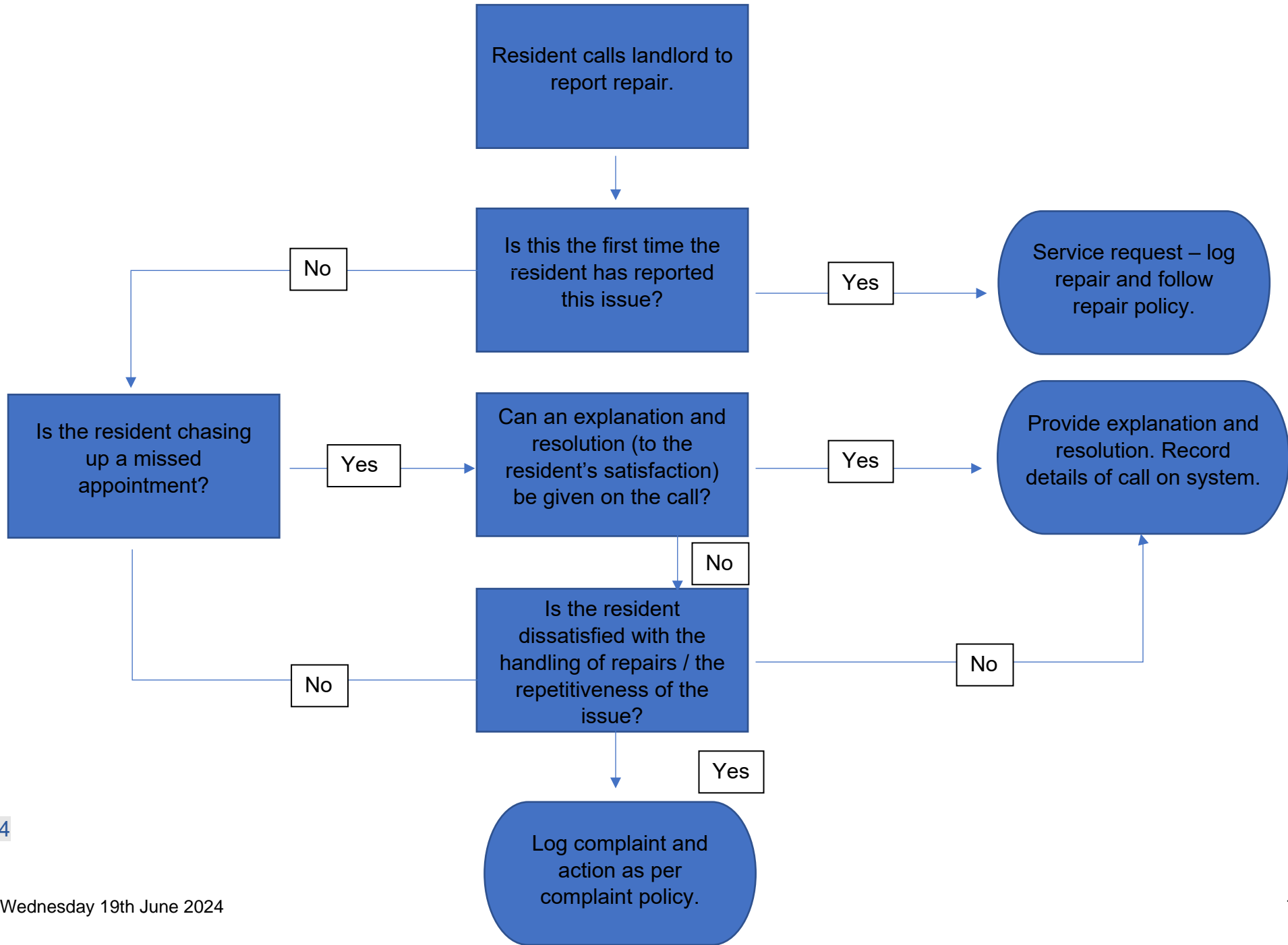
Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
9.1	Landlords must look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.			
9.2	A positive complaint handling culture 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.			
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.			
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 identify potential systemic issues, serious risks, or policies and procedures that require revision.			

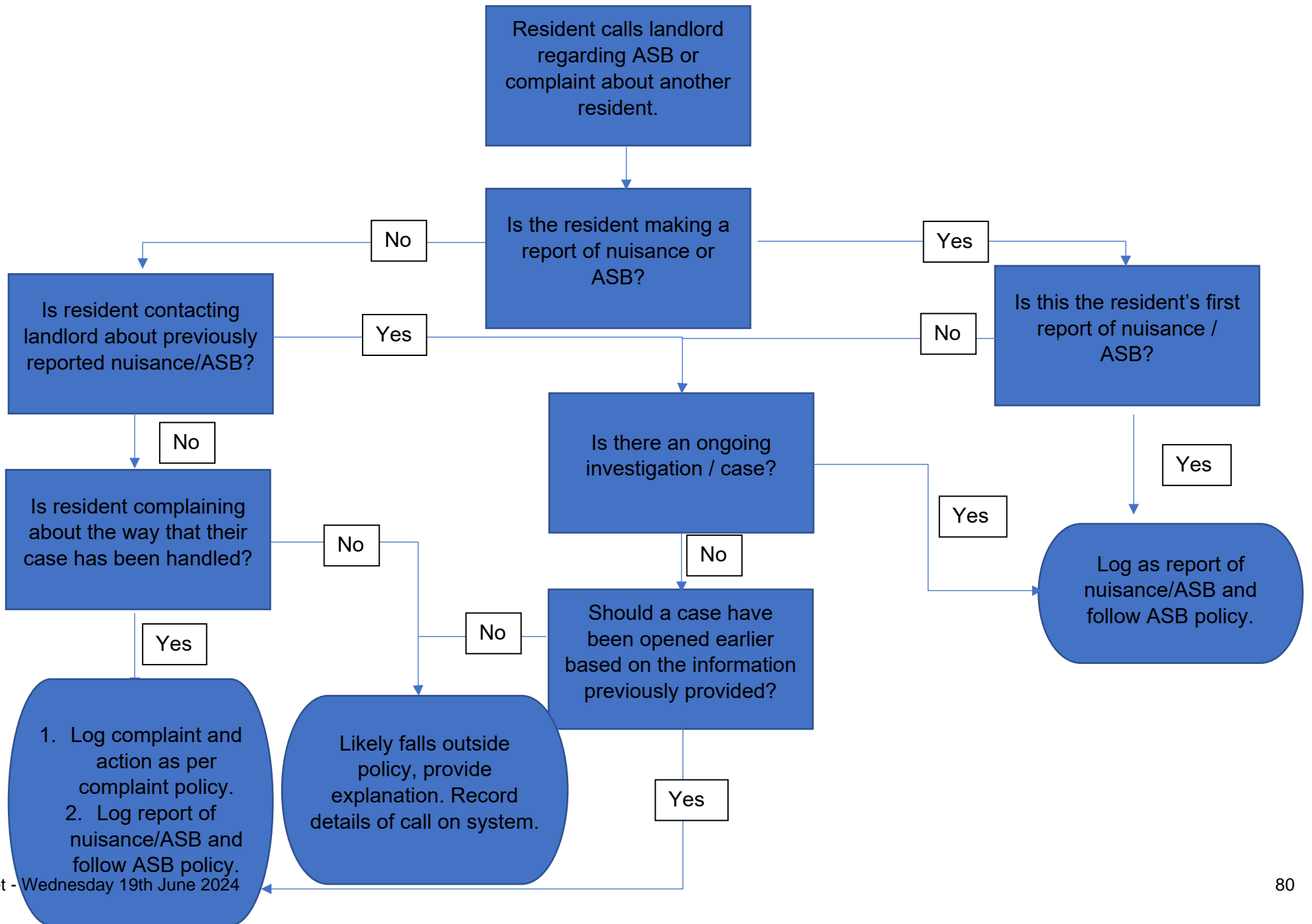
9.5	In addition to this a member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').			
9.6	The MRC will be responsible for 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.			
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; b. regular reviews of issues and trends arising from complaint handling; c. regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and			

	d. annual complaints performance and service improvement report.			
9.8	Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to: a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments; b. take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and c. act within the professional standards for engaging with complaints as set by any relevant professional body.			

Appendix B – Service request or complaint – flow charts







Cabinet/Individual Cabinet Member Decision

Report Summary Sheet

Date: 19th June 2024

Subject: NBBC Productivity Plan

Portfolio: Resources & Customer Services

From: Strategic Director – Corporate Resources

Summary:

To update Cabinet on the requirements set out as part of the Productivity Plan announcement made during the Local Government Finance settlement for 2024/25.

Recommendations:

That delegated authority be given to the Strategic Director – Corporate Resources and Leader of the Council to approve and submit the Productivity Plan if required.

Options:

To accept the report.

Reasons:

To enable government timelines to be adhered to.

Consultation undertaken with Members/Officers/Stakeholders

Leader, Deputy Leader, Chief Executive

Subject to call-in: No – due to urgency of a decision

Ward relevance: All

Forward plan: No

Building a Better Borough Aim:

ALL

Building a Better Borough Priority:

ALL

Relevant statutes or policy:

None

Equalities Implications:

None

Human resources implications:

None

Financial implications:

None

Health Inequalities Implications:

None

Section 17 Crime & Disorder Implications:

None

Risk management implications:

None

Environmental implications:

None

Legal implications:

None

Contact details:

Vicki Summerfield – Strategic Director - Corporate Resources

Victoria.summerfield@nuneatonandbedworth.gov.uk

AGENDA ITEM NO.7

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet

From: Strategic Director – Corporate Resources

Subject: NBBC Productivity Plan

Portfolio: Finance & Customer Services (Councillor S. Hey)

Building a Better Borough Aim: ALL

Building a Better Borough Priority: ALL

1. Purpose of Report

- 1.1 To update Cabinet on the requirements set out as part of the Productivity Plan announcement made during the 2024/25 Local Government Finance Settlement.

2. Recommendations

- 2.1 That delegated authority be given to the Strategic Director – Corporate Resources and the Leader of the Council to approve and submit the Productivity Plan if required.

3. Background

- 3.1 In addition to the provisional Local Government Finance Settlement, the Government announced as part of the final settlement a further £600m for extra support which included £500m for social care responsibilities. The Council received £162k.

4. Body of Report

- 4.1 As reported in February 2024 in the General Fund Revenue Budget, a Productivity Plan would be required due to the additional funding. The Plan should have four key areas of consideration:
- Transformation of services to make better use of resources
 - Opportunities to take advantage of advances in technology and make better use of data to inform decision making and service design

- Reduction of wasteful spend, including specific consideration of expenditure on consultants and discredited staff equality, diversity and inclusion programmes
- Barriers preventing activity that government can help to reduce or remove

4.2 A review of processes and a transformative approach is underway and will form the basis of the Plan. Cabinet will be consulted on any progress.

4.3 The Plan is due to be submitted to DLUHC on 19th July 2024 and will also require publishing on the Council's website.

5. Conclusion

5.1 Post General Election, Officers will engage with DLUHC to confirm the Productivity Plan requirement. Officers will continue to work on the Plan alongside transformation targets already scheduled into work plans.

6. Appendices

6.1 None.

7. Background Papers (if none, state none)

7.1 None