

Detailed Ombudsman Self-assessment form

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>	Yes	Make a complaint West Kent This is the definition in our complaints policy.	
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.	Yes	Our complaints procedure states: You do not need to use the word 'complaint' for us to treat your issue as a complaint. Third party complaints handled in line with 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	Yes	The Complaints Policy sets out the difference between service request and complaints.	

	to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly.		Service requests are logged on our Housing Management System	
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.	Yes	Our complaints policy states: 'a complaint should be raised when a customer raises dissatisfaction with the response to a service request'	
1.6	An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.	Yes	Acuity (who conduct TSM surveys) signpost residents surveyed to our complaints policy. Feedback received through our transactional surveys expressing dissatisfaction receive a call back to see how we can make things right.	

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	Yes	The policy clearly states reasons for refusal. Our procedure states	

	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		that we will provide a written explanation to the complainant within five working days if we do not accept their complaint or escalation.	
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. • Matters that have previously been considered under the complaints policy. 	Yes	Exclusions are set out within policy and include these points.	
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	Yes	This is set out in policy. We may not accept a complaint if it is made 12 months after the incident occurred unless there are exceptional reasons why.	

	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.	Yes	Our procedure states: If the customer remains unhappy, they can access the external escalation route applicable to their circumstances. We will clearly explain the customer's escalation options to them.	
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	Yes	Each complaint is considered individually. Common reasons for exclusion are set out in policy.	

Section 3: Accessibility and Awareness

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
3.1	Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.	Yes	<p>We accept complaints however they are received including in person, by phone, email, online form or via an advocate or representative (providing it is clear the complainant has consented to the advocate contacting us on their behalf). If the customer contacts us in public social media pages, we'll ask the customer to contact us directly to protect their privacy.</p> <p>This advice is publicised on the website.</p> <p>Make a complaint West Kent</p>	
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	Yes	All complaints are logged on our housing management system and e-learning provided for all relevant staff.	

	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.	Yes	Monthly report to the Executive team gives rounded view of complaints and complaints handling performance. Complaints are reported to our Communities and Housing Committee on a quarterly basis and annually to the Board. The annual Board report will be in line with the requirements in the new Complaint Handling Code	
3.4	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two stage process, what will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord's website.	Yes	The policy is published on our website where text sizes, language and contrast can be amended. Interpretation and translation services are available on request for written documents.	
3.5	The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code.	Yes	Covered in complaints policy.	
3.6	Landlords must give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or	Yes	There is a section in the complaints policy about using an advocate or representative to pursue a complaint.	

	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.	yes	This is contained within the published policy, in complaints response letters and on the website.	

Section 4: Complaint Handling Staff

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
4.1	Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the 'complaints officer'. This role may be in addition to other duties.	Yes	<p>We have a central resolution team responsible for complaint handling.</p> <p>A complaints report is considered quarterly by the Communities & Housing Committee and annually by the Board.</p>	
4.2	The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly.	Yes	<p>We have a dedicated customer resolution team, with the skills and training to manage complaints. They have the authority and autonomy to ensure engagement from other departments to resolve disputes. They have access to staff at all levels to facilitate quick resolution of complaints. Any internal blockages are escalated as required.</p> <p>Complaints monitoring dashboards are shared with Executive team to facilitate</p>	

			discussion around any internal blockages.	
4.3	Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and must be resourced to handle complaints effectively	Yes	<p>Training on complaints delivered to all relevant staff.</p> <p>Lessons learned are shared and discussed with staff, managers and senior leadership team, articles are placed on our intranet to help learning.</p>	

Section 5: The Complaint Handling Process

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
5.1	Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain.	Yes	Single policy reviewed and published in line with the Code. Residents will not be treated differently if they complain. Any differential treatment will only be after assessment under the Unacceptable Behaviour Policy if applicable	
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	Yes	Policy and procedure reflect this.	

	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.	Yes	Policy and procedure reflect this.	
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.	Yes	Our policy states: We will investigate complaints made about organisations that are providing services on our behalf, such as repair contractors.	
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	Yes	As per 5.4.	
5.6	When a complaint is logged at Stage 1 or escalated to Stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will refer to this as "the complaint definition". If any aspect of the complaint is unclear, the resident must be asked for clarification.	Yes	Template letters include our understanding of complaint and desired outcomes.	

5.7	When a complaint is acknowledged at either stage, landlords must be clear which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear.	Yes	Our procedure includes contact with customer in 3 working days to discuss and we have a template acknowledgement that clarifies what is being investigated and what is not and why.	
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. 	Yes	We have a dedicated and trained complaint resolution team, who consider each complaint individually and consider the complainants needs. The complaints procedure entails early contact with customers to ensure we understand their complaint and desired outcomes. Peer reviews and managers review of responses ensure quality and fairness of responses. Complaints which are treated confidentially are marked secure in our case management system, so they are anonymous in our reporting.	
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.	Yes	Our policy states we will discuss extending deadlines if extension necessary.	

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.	Yes	<p>Our procedure states:</p> <p>We will ensure that we make reasonable adjustments for customers to enable them to participate in the complaints process. We will check a complainant's customer record for details of any disability, medical condition, or other communication need. We will discuss with the customer whether they have any additional needs, or needs that we have not yet recorded, that we need to take account of during our complaint investigation and agree with them what adjustments we can make. Any further details will be added to the customer record.</p> <p>All staff attend Equality, Diversity, and Inclusion training.</p> <p>Our Diversity and Inclusion Framework and our Equality and Diversity Policy set out how we support our customers with diverse needs when delivering services. Where reasonable we provide extra support to help complainants because of</p>	
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			protected characteristics. Specific guidance is produced for staff on flagging and reviewing reasonable adjustments on our Housing Management system.	
5.11	Landlords must not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do so. Landlords must clearly set out these reasons, and they must comply with the provisions set out in section 2 of this Code.	Yes	Reasons for refusal are set out in the policy.	
5.12	A full record must be kept of the complaint, and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.	Yes	All cases recorded on our Housing Management System Copies of any correspondence including complaint response letters, correspondence with third parties, reports and surveys are securely filed in our SharePoint.	
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	Yes	Resolution Officers have authority to seek resolution for customer at any stage.	

	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.	Yes	<u>Unacceptable behaviour policy</u>	
5.15	Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.	Yes	Unacceptable behaviour policy considered in light of equality and diversity policy & will consider individual circumstances.	

Section 6: Complaints Stages

Stage 1

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.1	Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident.	Yes	Set out in policy and procedure. Complaint reporting details speed of responses and escalations to level 2 and Ombudsman.	
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>	Yes	Set out in procedure.	
6.3	Landlords must issue a full response to stage 1 complaints <u>within 10 working days</u> of the complaint being acknowledged.	Yes	Set out in procedure.	
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	Yes	Set out in procedure.	

	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.	Yes	Set out in policy which states: In exceptional circumstances we may need to extend your complaints further. We will seek your agreement should this be needed and agree a timescale for further contact. We will also provide you with the details of the Housing Ombudsman Service should you wish to take further advice from them.	
6.6	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes	Set out in complaints procedure and system in place to track actions to completion.	
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.	Yes	Templates provided to ensure all points covered.	
6.8	Where residents raise additional complaints during the investigation,	Yes	Set out in Complaints Procedure.	

	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. 	Yes	All points covered in standard response templates.	

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	Yes	Set out in policy and procedure.	

	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.	Yes	Set out in procedure	
6.12	Residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.	Yes	Set out in policy and procedure.	
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.	Yes	Set out in procedure.	
6.14	Landlords must issue a final response to the stage 2 <u>within 20 working days</u> of the complaint being acknowledged.	Yes	Set out in policy and procedure.	
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes	Set out in procedure.	

6.16	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes	Set out in procedure.	
6.17	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes	Set out in complaints procedure and system in place to track actions to completion.	
6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	Templates provided to ensure all points covered.	
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 	Yes	All points covered in standard response templates.	

	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.	Yes	Stage 2 responses reviewed by relevant operational Heads of Service/Directors.	

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. 	Yes	Visible in complaints responses.	

7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.	Yes	Reflected in Compensation Procedure.	
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.	Yes	Response letters set out remedies and system in place for tracking actions to completion.	
7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.	Yes	We have a Compensation Procedure which sets out levels of compensation in line with the HOS recommended levels. We review published reports by HOS to incorporate learning and good practise.	

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. 	Yes	<p>The evidence will be provided with the self-assessment to the Ombudsman.</p> <p>This will include our annual complaints handling and service report from April 2023 to March 2024, details and learning from maladministration findings and the Annual Report from HOS for 2022-23. This will be updated when the 2023-24 HOS report published</p>	

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.	Yes	As 8.1.	
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Yes	Aware of requirement.	
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	Yes	Aware of requirement.	
8.5	If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website Landlords must provide a timescale for returning to compliance with the Code.	Yes	Aware of requirement.	

Section 9: Scrutiny & oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
9.1	Landlords must look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.	Yes	<p>We have a lesson learned approach which looks more widely at changes we need to make to process or the way we work.</p> <p>Lessons learned are reported to the Communities & Housing Committee.</p> <p>Learning from complaints is evidenced in service improvement report.</p>	
9.2	A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.	Yes	<p>As above</p> <p>Additionally, information on complaint handling is published to our resident scrutiny committee. Monthly Customer Contact reporting to the Executive Team which includes complaint handling.</p>	
9.3	Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report	Yes	Information on learning is reported in our Annual Resident report, quarterly to our resident	

	back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.		scrutiny committee, C&H and to the Executive team. Examples of Improvements are published on our website. https://www.westkent.org/about-us/our-performance-plans-and-values/how-were-performing/complaints	
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.	Yes	Executive Director of Housing and Communities.	
9.5	In addition to this a member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').	Yes	This is set out in the policy as Chair of the West Kent Board.	
9.6	The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.	Yes	We report to Communities & Housing committee (C&H) quarterly and annually to the Board. We include any relevant information from the HOS including all HOS cases plus	

			<p>findings and outcomes from their investigations. HOS cases are also reported quarterly to the Board in the Chief Executive's update.</p> <p>Any maladministration findings will be reported immediately to the Board Chair and C&H and to the next Board meeting.</p>	
9.7	<p>As a minimum, the MRC and the governing body (or equivalent) must receive:</p> <ul style="list-style-type: none"> 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. 	Yes	<p>Annual reports to the Board and Quarterly reports to the Communities and Housing Committee.</p> <p>Residents Annual Report.</p>	
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:		Objective set for all staff in PDRs 2024/25	

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