



Housing Ombudsman Self-Assessment Form for RBK Housing Landlord Services

30/09/2022

Section 1 - Definition of a complaint

Code Section	Code Requirement	Comply: Yes/No	Evidence, commentary and any explanation
1.2	<p>Does the complaints process use the following definition of a complaint?</p> <p><i>An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents .</i></p>	yes	Please see the web link https://www.kingston.gov.uk/downloads/download/491/corporate-complaints-comments-and-compliments-procedure
1.3	The resident does not have to use the word 'complaint' for it to be treated as such. A complaint that is submitted via a third party or representative must still be handled in line with the landlords complaints policy	yes	see corporate procedure in the link at point 1.2
1.4	Landlords should recognise the difference between a service request , where a resident may be unhappy with a situation that they wish to have rectified, and a complaint about the service they have/have not received.	yes	see corporate procedure in the link at point 1.2
1.5	Survey feedback may not necessarily need to be treated as a complaint, though, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to	yes	The feedback form is available on the Website: https://www.kingston.gov.uk/council-democracy/feedback-complaint-form

1.6if further enquiries are needed to resolve the matter or if the resident requests it the issue must be logged as a complaint	yes	see corporate procedure in the link at point 1.2
1.8	A complaints policy must clearly set out the circumstances in which a matter will not be considered, and these circumstances should be fair and reasonable to residents.	yes	see corporate procedure in the link at point 1.2
1.9	If a landlord decides not to accept a complaint, a detailed 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.	yes	see corporate procedure in the link at point 1.2

Section 2 - Accessibility and awareness

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.1	Landlords must make it easy for residents to complain by providing different channels through which residents can make a complaint such as in person, over the telephone, in writing, by email and digitally. While the Ombudsman recognises that it may not be feasible for a landlord to use all of the potential channels, there must be more than one route of access into the complaints system.	yes	<p>Website information with digital form: https://www.kingston.gov.uk/council-democracy/feedback-complaint-form</p> <p>Telephone: 020 8547 5003</p> <p>Email: crm.complaints@kingston.gov.uk</p> <p>Address provided on the website too for those who wish to write in: Customer Care team Address: Guildhall 2 High Street</p>

			Kingston KT1 1EU
2.3	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the number of stages involved, what will happen at each stage and the timeframes for responding.	yes	See item 1.2
2.4	Landlord websites, if they exist, must include information on how to raise a complaint. The complaints policy and process must be easy to find on the website.	yes	See item 1.2
2.5	Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs. Landlords must satisfy themselves that their policy sets out how they will respond to reasonable adjustments requests in line with the Equality Act and that complaints handlers have had appropriate training to deal with such requests.	yes	<p>RBK Equality Act: https://www.kingston.gov.uk/downloads/file/1005/inclusive-kingston-full-strategy</p> <p>Mandatory training in Equalities is undertaken by all RBK staff</p> <p>Section 2.4 of our Complaints Procedure staff guidance states: 2.4 Supporting the customer</p> <p>All members of the community have the right to equal access to our complaints procedure. Customers who do not have English as a first language may need help with interpretation and translation services or sign language, braille or large print. Other customers may have specific needs that we will seek to address to ensure easy access to the complaint process.</p>

			<p>We must always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to our services to help customers where appropriate in accordance with our equalities policy.</p> <p>Several support and advocacy groups are available to support customers in pursuing a complaint and customers should be signposted to these as appropriate.</p>
2.6	Landlords must publicise the complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme in leaflets, posters, newsletters, online and as part of regular correspondence with residents.	yes	
2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	yes	
2.8	Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted.	yes	

Section 3 - Complaint handling personnel

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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3.3	Complaint handlers should: <ul style="list-style-type: none"> ● be able to act sensitively and fairly ● be trained to handle complaints and deal with distressed and upset residents ● have access to staff at all levels to facilitate quick resolution of complaints ● have the authority and autonomy to act to resolve disputes quickly and fairly. 	yes	Complaint handlers are given guidance on all aspects of this code requirement
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Section 4 - Complaint handling principles

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.1	Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord's audit trail/records should be able to demonstrate this. Landlords must ensure that efforts to resolve a resident's concerns do not obstruct access to the complaints procedure or result in any unreasonable delay. It is not appropriate to have extra named stages (such as 'stage 0' or 'pre-complaint stage') as this causes unnecessary confusion for residents. When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure within five days of receipt.	yes	Complaints will be accepted at stage 1, acknowledged as per complaints procedure within 5 working days
4.2	Within the complaint acknowledgement, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	yes	the acknowledgement includes the complaint as received from the complainant on triage the complaint team request further clarification if required
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic	yes	See complaints procedure
4.4	A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve th matter for the resident and whether there are any urgent actions required	yes	

4.5	Landlords should 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 where this is reasonable	yes	See point 2.4
4.6	A complaint investigation must be conducted in an impartial manner.	yes	Stage 1 complaints procedure sets out how the complaint is investigated
4.7	<p>The complaint handler must:</p> <ul style="list-style-type: none"> ● deal with complaints on their merits ● act independently and have an open mind ● take measures to address any actual or perceived conflict of interest ● consider all information and evidence carefully ● keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter. 	yes	See item 1.2
4.9	Communication with the resident should not generally identify individual members of staff or contractors.	yes	Staff are advised of this in training and guidance
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	yes	On receipt of a complaint and upon triage the complainant is given the reference number and deadline in days, if the complaint is complex then they will be made aware if there is a need for an extension. The responder keeps the Complaints team abreast of any contact with the resident regarding extension required.

<p>4.11</p>	<p>Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication</p>	<p>yes</p>	<p>Section 2.4 of our Complaints Procedure states: 2.4 Supporting the customer</p> <p>All members of the community have the right to equal access to our complaints procedure. Customers who do not have English as a first language may need help with interpretation and translation services or sign language, braille or large print. Other customers may have specific needs that we will seek to address to ensure easy access to the complaint process.</p> <p>We must always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to our services to help customers where appropriate in accordance with our equalities policy.</p> <p>Several support and advocacy groups are available to support customers in pursuing a complaint and customers should be signposted to these as appropriate.</p>
<p>4.12</p>	<p>The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:</p> <ul style="list-style-type: none"> ● set out their position ● comment on any adverse findings before a final decision is made. 	<p>yes</p>	<p>Stage 1 is the opportunity to provide details for a full investigation, if the resident remains dissatisfied after this then progress to Stage 2 review, at this point the resident is given a fair chance to set out their position and comment on all complaint findings from stage 1.</p>
<p>4.13</p>	<p>A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint</p>	<p>yes</p>	<p>The complaints procedure explains this at point 3.3</p>

4.14	A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action. Reasons for declining to escalate a complaint must be clearly set out in a landlord's complaints policy and must be the same as the reasons for not accepting a complaint.	yes	See complaints procedure
4.15	A full record must be kept of the complaint, any review 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 reports or surveys prepared.	yes	
4.16	Landlords should seek feedback from residents in relation to the landlord's complaint handling as part of the drive to encourage a positive complaint and learning culture	yes	Feedback form available on website
4.17	Landlords should recognise the impact that being complained about can have on future service delivery. Landlords should ensure that staff are supported and engaged in the complaints process, including the learning that can be gained	yes	
4.18	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.	yes	See RBK Website where this is published: https://www.kingston.gov.uk/downloads/download/260/managing-unreasonable-customer-conduct

Section 5 - Complaint stages

Stage 1

5.1	Landlords must respond to the complaint within 10 working days of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 working days without good reason.	yes	
5.2	If an extension beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties	yes	
5.3	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlords's response	yes	
5.4	Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident	yes	
5.5	A complaint response must be sent to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed	yes	
5.6	Landlords must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	yes	

<p>5.8</p>	<p>Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language:</p> <ul style="list-style-type: none"> ● the complaint stage ● 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 ● details of how to escalate the matter to stage two if the resident is not satisfied with the answer 	<p>yes</p>	
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Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two of the landlord's procedure, unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.	yes	
5.10	On receipt of the escalation request, landlords must set out their understanding of issues outstanding and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	yes	
5.11	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.	yes	as per complaints procedure

5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	yes	as per complaints procedure
5.13	<p>Landlords must respond to the stage two complaint <u>within 20 working days</u> of the complaint being escalated.</p> <p>Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 working days without good reason.</p> <p>If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully this should be agreed by both parties</p>	yes	
5.16	<p>Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:</p> <ul style="list-style-type: none"> ● 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 <p>and</p> <ul style="list-style-type: none"> ● if the landlord has a third stage, details of how to escalate the matter to stage three ● if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied. 	yes	

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.17	Two stage landlord complaint procedures are ideal. This ensures that the complaint process is not unduly long. If landlords strongly believe a third stage is necessary, they must set out their reasons for this as part of their self-assessment. A process with more than three stages is not acceptable under any circumstances.	Yes	There are only two stages

Section 6 - Putting things rights

Code section	Code requirement	Comply : Yes/No	Evidence, commentary and any explanations
6.1	Effective dispute resolution requires a process designed to resolve complaints. 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	Yes	
6.2	Any remedy offered must reflect the extent of any service failures and the level of detriment caused to the resident as a result. A landlord must carefully manage the expectations of residents and not promise anything that cannot be delivered or would cause unfairness to other residents.	Yes	

6.5	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	
6.6	In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to complaining.	Yes	

Section 7 - Continuous learning and improvement

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.2	Accountability and transparency are integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.	Yes	The Scrutiny Panel have sight of complaints performance every 6 months Resident liaison: the Council are in the process of establishing a framework for resident engagement and learnings
7.3	A member of the governing body should be appointed to have lead responsibility for complaints to support a complaint handling culture. This role will be responsible for ensuring the governing body received regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance	Yes	The Housing Board meet monthly to undertake this.
7.5	Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.	Yes	

7.6	<p>Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:</p> <ul style="list-style-type: none"> • have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments • take collective responsibility for any shortfalls identified through complaints rather than blaming others • act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing. 	Yes	See Complaints Procedure available on website
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Section 8 - Self-assessment and compliance

Code section	Code requirement	Comply : Yes/No	Evidence, commentary and any explanations
8.1	Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements	Yes	
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	
8.3	<p>Following each self-assessment, a landlord must:</p> <ul style="list-style-type: none"> • report the outcome of their self-assessment to their governing body. In the case of local authorities, self- assessment outcomes should be reported to elected members • publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents • include the self-assessment in their annual report section on complaints handling performance 	Yes	

END