

Housing

Ombudsman Service

Complaint Handling Code summary

- The Code is now explicit about what is mandatory, indicated by use of the word 'must'. Where the Ombudsman considers it is appropriate for landlords to use their discretion to achieve best practice in complaint handling the word 'should' is used.
- Where landlords do deviate from the Code, they must explain why in the self-assessment, which must be reviewed annually and published on the landlord's website (where a landlord has a website).
- Service request chasers, such as following up a missed appointment, may be able to be resolved 'there and then' and their handling does not form part of the complaints system.
- A complaint is defined as:
'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.'
- Landlords can only exclude complaints where there is a valid reason to do so, and these reasons must be clearly set out in the complaint policy. Where a landlord decides not to accept a complaint, they must write to the resident to explain why and advise of the right to ask the Ombudsman to review this decision.
- Landlords must provide more than one avenue for residents to raise a complaint.
- The complaint policy must be available in a clear and accessible format for all residents and must be accessible on the website along with information about how to make a complaint.
- The complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme must be publicised to residents in multiple formats and as part of relevant correspondence. Landlords must also provide the Ombudsman's contact details in its relevant correspondence with residents.
- There must be a person or team responsible for complaint handling and an appointed complaint handler must have appropriate skills and no conflict of interest with the complaint they are investigating.
- Complaints must be acknowledged and logged at stage one within five working days of receipt.
- The investigation must be impartial and balanced to ensure fair and appropriate findings and recommendations and the response must be issued within 10 working days of the complaint being logged.
- Landlords must accept a request by the resident (or their representative) to escalate the complaint to the next stage unless an exclusion applies.

- Stage two responses must be issued within 20 working days of the complaint being escalated.
- Two stage landlord complaint procedures are ideal. 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.
- Any remedies offered following investigation must reflect the extent of any service failures and the level of detriment caused to the resident as a result.
- Landlords must report on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.

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