

Housing Ombudsman Complaints Handling Code - Octavia self-assessment on compliance against the Code

Section 1 - Definition of a complaint

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
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 organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.'</i>	Yes	The Complaints Policy has been updated and the definition has been included in the Complaints Policy Section 2.1.
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 landlord's complaints policy.	Yes	Section 2.2 of the Complaints Policy
1.6	... if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.	Yes	Section 2.2 of the Complaints Policy
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	

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	Section 2.4 of the Complaints Policy
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	We have a suite of templates available for different scenarios in relation to complaint handling which are accessible to all colleagues

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
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	Section 4 of the Complaints Policy
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	Staff completing phone surveys have training on how to identify complaints through survey feedback.

Section 2 - Accessibility and awareness

Mandatory 'must' requirements

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 the potential channels, there must be more than one route of access into the complaints system.	Yes	Section 4.0 of the Complaints Policy. Octavia accepts complaints in person, over the telephone, by email, in writing and digitally.
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	Section 4 of the Complaints Policy
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	Customers can access a clearly labelled webpage that provides access to our Complaints policy and process.
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	Section 8.0 of the Complaints Policy
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	We publicise the Complaints Policy online on our website, include articles in the customer magazine "Your Voice" and our reception area outlining how customers can make a complaint. We are also aiming to include publication in our communal areas.

2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	We include information on the Ombudsman in our newsletters and in our complaints handling templates
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	This is detailed in our complaint templates and in Section 3.8 of the Complaints Policy

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
	Where a landlord has set up channels to communicate with its residents via social media, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.	Yes	Section 3.5 of the Complaints Policy

Section 3 - Complaint handling personnel

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.1	Landlords must have a person or team assigned to take responsibility for complaint handling to ensure complaints receive the necessary attention, and that these are reported to the governing body. This Code will refer to that person or team as the "complaints officer".	Yes	We have a dedicated Resolutions Manager. Further details are in Section 3.6 of the Complaints Policy.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	The Resolutions Manager has the appropriate training to handle complaints impartially

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
3.3	<p>Complaint handlers should:</p> <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	Octavia has complaint handling training for all staff. We detail this in Section 3 of the Complaints Policy.

Section 4 - Complaint handling principles

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
4.1	<p>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.</p>	Yes	Section 4 of the Complaints Policy

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	
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	Section 3 of the Complaints Policy
4.7	The complaint handler must: <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 thoroughly investigate the matter. 	Yes	Octavia conducts training in relation to complaint handling and covers this as part of the training.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	This is covered in the complaints training and procedure.
4.12	The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to: <ul style="list-style-type: none"> • set out their position • comment on any adverse findings before a final decision is made. 	Yes	Acknowledgement letters state that the resident will be contacted to set out their position at both Stage 1 and 2, so that we fully understand their concerns. Staff members are engaged with to provide an explanation of their position at all stages of the complaint process.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	Section 4 of the Complaints Policy
4.14	A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints	Yes	Section 4.1.1 of the Complaints Policy.

	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.		
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	Complaint correspondence and documents are logged and stored on a case management system CRM (Customer Relationship Management). We have systems training and complaints training to ensure that all information in relation to the complaint is attached to the appropriate case/file.
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	Octavia has an Unacceptable Behaviours policy

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic	Yes	
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 the matter for the resident and whether there are any urgent actions required.	Yes	In the Complaints Procedure and complaint handling training it prompts and encourages staff to discuss and seek resolution as soon as possible.
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	Section 2.5 of the Complaints Policy.
4.8	Where a key issue of a complaint relates to the parties' legal obligations landlords should clearly set out their understanding of the obligations of both parties.	Yes	This is included in the policy, procedure, and training.

4.9	Communication with the resident should not identify individual members of staff or contractors.	Yes	Octavia uses complaint response templates, and we discuss this as part of the complaint handling training.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	Frequency of contact during the investigation is agreed with the resident at each stage of the complaint.
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	Residents are encouraged to complete a feedback form which is sent out to residents at each stage of the complaint process.
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	Staff have regular 121s with their line managers and can discuss all elements of a complaint. From the personal impact to learnings and the identification for improvements. Octavia has a behaviour framework in relation to complaints handling which includes the CIH professional standards. Complaint handlers must record lessons learnt upon evaluation of the complaint outcome.
4.19	Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.	Yes	This is set out in our Unacceptable Behaviour Policy

Section 5 - Complaint stages

Mandatory 'must' requirements

Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.1	Landlords must respond to the complaint <u>within 10 working days</u> 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 days without good reason	Yes	Section 4 of the Complaints Policy

5.6	Landlords must address all points raised in the complaint and provide obvious reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.	Yes	This is included in the stage 1 response template and highlighted in training.
5.8	Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: <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 	Yes	This is part of the stage 1 response template and included in the Complaints procedure.

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	Section 4.1.1 of the Complaints Policy
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	Section 4.1.1 of the Complaints Policy and included in our complaint handling templates and procedure
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	This is detailed in the Complaints policy and training.

5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	
5.13	Landlords must respond to the stage two complaint <u>within 20 working days</u> of the complaint being escalated. 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 days without good reason.	Yes	Section 4.1.1 of the complaints policy.
5.16	Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language: <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 and <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	This forms part of the stage 2 response letter template.

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.	N/A	Octavia has a two stage complaints process.

5.20	<p>Landlords must confirm the following in writing to the resident at the completion of stage three 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 • details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied 	N/A	
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Best practice 'should' requirements

Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
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	Section 4.1.1 of the Complaints Policy – Stage 2 Internal Review of the Complaints procedure.
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 landlord's response.	Yes	Section 4.1.1 – Stage 2 Internal Review of the Complaints procedure.
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	
5.7	Where residents raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint	Yes	Section 4.1.1 of the Complaints Policy

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.14	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.	Yes	Section 4.1.1 of the Complaints Policy
5.15	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 landlord's response	Yes	Section 4.1.1 of the Complaints Policy

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint <u>within 20 working days</u> of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.	N/A	
5.19	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 landlord's response.	N/A	

Section 6 - Putting things right

Mandatory 'must' requirements

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	Section 4 of the Complaints Policy Octavia has complaint handling training that includes dispute resolution
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	Octavia has a Compensation Policy and a Complaints Procedure to ensure appropriate remedy to service failures
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	Complaint handling templates ensures remedy offers are clearly set out. Octavia also sets this out in its Complaint Procedure with complaint cases kept open and under review until all actions are completed.
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 as well as any distress and inconvenience caused.	Yes	This is set out in the Compensation Policy and Procedure.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
6.3	Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.	Yes	We review our complaints responses, service improvements, customer feedback and the regular Ombudsman determinations published. We make changes to our policy and procedures to reflect these where relevant.
6.7	In some cases, a resident may have a legal entitlement to redress. The landlord should still offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.	Yes	

Section 7 - Continuous learning and improvement

Mandatory 'must' requirements

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	Octavia collate data on learnings and report this in in our annual report. Going forward we will publish wider learning and improvements from complaints regularly to customers, staff, and panels through various channels.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
7.3	A member of the governing body should be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This role will be responsible for ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance.	Yes	Section 6.1 of the Complaints Policy. A member of Octavia's governing body has been appointed as lead for complaints. They will receive regular information on complaints including insight into Octavia's complaint performance.
7.4	As a minimum, governing bodies should receive: <ul style="list-style-type: none"> Regular updates on the volume, categories, and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders Regular reviews of issues and trends arising from complaint handling, The annual performance report produced by the Ombudsman, where applicable Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge. 	Yes	Section 6.1 of the Complaints Policy

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	Octavia's Complaints Procedure ensures that senior management have accountability to assess potential systemic issues, serious risks or policies and procedures that require revision.
7.6	Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to: <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	We have amended our job descriptions to include an objective around complaint handling and have adopted the CIH (Chartered Institute for Housing) professional standards framework for engaging with complaints. This is an ongoing piece of work.

Section 8 - Self-assessment and compliance

Mandatory 'must' requirements

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	Following each self-assessment, a landlord must: <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	