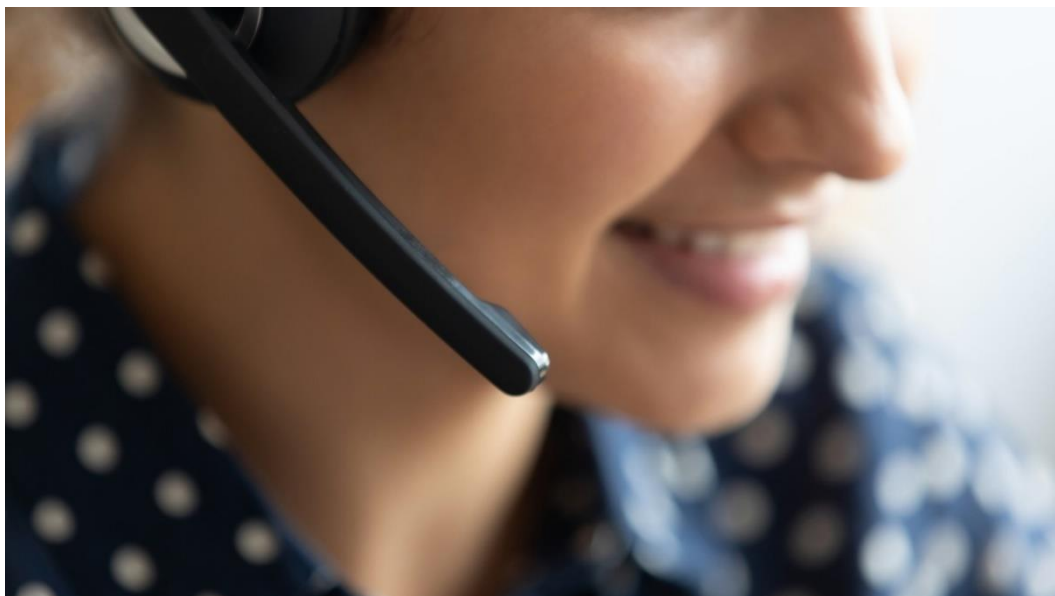


Housing Ombudsman Complaint Handling Code Self-Assessment

Milton Keynes City Council 2022-23



Introduction

Our Customer Feedback Policy and Procedure reflect Milton Keynes City Council's (MKCC) commitment to valuing complaints, comments, and compliments. Customer feedback provides a first-hand account of what people using our services think of them. It can highlight issues to help us to improve the quality of services we deliver.

The Complaint Handling Code, introduced by The Housing Ombudsman (HO), sets out a good practice for Social Housing Landlords to enable landlords to resolve complaints raised by their tenants quickly, and to use the learning from complaints to improve services.

This document is MKCC's self-assessment against the code for the period 2022-23, to identify areas where we are doing well, and where we recognise the need to further improve our service. It follows a question (Q) and answer (A) structure. The questions are those asked by the HO, and the answers are MKCC's response. Each question has a compliance rating which indicates whether MKCC are compliant with the Complaints Handling Code.

The full Complaint Handling Code can be accessed via the following link –

[The Housing ombudsman's Complaint Handling Code \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk)

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Self-Assessment

Section 1 - Definition of a complaint

Mandatory 'must' requirements

1.2.

Question (Q): A complaint must be 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.'*

Compliance: Yes

Answer (A): MKCC's customer feedback policy defines a complaint as: *"A clear expression of dissatisfaction about a Council service (whether that service is provided directly by the Council or by a contractor or partner) including the standard of service, action or lack of action, decision taken by the Council, or the way in which staff carry out their duties."*

MKCC's definition covers all the points from Ombudsman's definition. It does not directly mention the last part of the definition that mentions the residents, because as a council MKCC are open to complaints from anyone who wishes to make one.

1.3.

Q: 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.

Compliance: Yes

A: Even though MKCC policy does not directly say that the customer does not have to use word 'complaint', the definition of the complaints does confirm that the complaint is 'an expression of dissatisfaction', and our procedure asks that if the dissatisfaction is expressed by the customer in any form, it should be allocated to Customer Services Team for further investigation. 2. MKCC policy says that policy – *"Applies to anyone affected by our Housing Services who wishes to provide feedback."*

1.6.

Q: ... if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.

Compliance: Yes

A: Unless the request falls under the category of a 'complaint exclusion' the customer will decide if they want to make an official complaint, and if they decide to do so, it will be logged as such.

1.7.

Q: A landlord must accept a complaint unless there is a valid reason not to do so.

Compliance: Yes

A: As per 1.6.

1.8.

Q: 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.

Compliance: Yes

A: These exclusions are listed in our Customer Feedback Policy. The policy states that a complaint is not:

- A housing repair,
- A request for compensation,
- Issues that are in court or have already been heard by a court or a tribunal,
- Commercial or contract matters,
- Wanting information or an explanation of a council policy or practice,
- An appeal against a Housing application or statutory notices (these are dealt with under other procedures).

1.9.

Q: 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.

Compliance: Yes

A: As per our Customer Feedback Policy and Procedure, any customer disaffection will be investigated by our Customer Services Team, and the response will be provided to the customer. If the customer's dissatisfaction falls outside of the complaint's policy/process, they will be advised why such decision was made, and what they can do if they are not satisfied with that decision, to include contacting the Ombudsman about that.

Section 1 - Definition of a complaint

Best practice 'should' requirements

1.4.

Q: 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.

Compliance: Yes

A: We want to resolve an issue before it becomes a complaint and seek early resolution. To differentiate between a service request and complaint, when a customer contacts MKCC because they are dissatisfied, all officers take responsibility and ownership to resolve the issue(s) raised, at the earliest opportunity and as close to the point of service delivery as possible. If we are unable to resolve a customer's dissatisfaction, there is two stage complaints process to follow.

1.5.

Q: 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.

Compliance: Yes

A: When a customer contacts MKCC because they are dissatisfied, all staff should take responsibility and ownership to resolve the issue(s) raised at the earliest opportunity and as close to the point of service delivery as possible.

Section 2 - Accessibility and awareness

Mandatory 'must' requirements

2.1.

Q: 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.

Compliance: Yes

A: Residents can make a complaint online using digital forms, by telephone or post, to a Housing Officer or through their local Councillor. Repairs customers can also make a complaint to our repairs service provider.

2.3.

Q: 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.

Compliance: Yes

A: Our Customer Feedback Policy is published on our website, and it includes details of our two-stage process. Moreover, our complaints page also describes the key detail about our complaints process including the timescales, and what to expect.

2.4.

Q: 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.

Compliance: Yes

A: As per 2.3.

2.5.

Q: 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.

Compliance: Yes

A: In our Customer Feedback Procedure we say – *'We require this information (questions from online complaints form) to monitor our policies and procedures and ensure we are meeting our obligations under the Equality Act 2010. This information can help to eliminate potential discrimination by understanding if a personal characteristic is relevant to a customer's complaint. We therefore ask for a customer's age, ethnicity, and gender and if 18 there is a relevant characteristic such as a disability or sexual orientation which may be relevant to the complaint. This information is confidential.'*

Note from the Corporate Policy and Equality Manager regarding reasonable adjustments – *'Regarding reasonable adjustments, we do make reasonable adjustments, and as a local authority we not only have a duty to comply in terms of policy, but to have due regard throughout our housing function to the elimination of discrimination and the advancement of equal opportunity. Key to this commitment, found in our equality policy (available on our website), is our commitment to offer our services in a manner that is accessible and provide information in an accessible format, including having the top-rated*

accessible website. However, we go further, understanding issues of language and mental impairment within our policies to ensure that we support and provide tenants with an accessible service that considers their individual needs.'

Regarding Equality & Diversity training, it is a mandatory training for all MKCC employees.

2.6.

Q: 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.

Compliance: No

A:

- Yes, to Policy.
- Yes, to Process.
- Yes, to Complaint Handling Code.
- Yes, to Housing Ombudsman Scheme online.
- Yes, in Tenant's Handbook.
- Yes to 2nd stage responses.
- No to 5 day and 1st stage responses.
- No to Ombudsman Scheme in correspondence not related to complaints.
- No to leaflets as we are moving away from printing leaflets

2.7.

Q: Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.

Compliance: No

A: As per 2.6.

2.8.

Q: 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.

Compliance: Yes

A: As per 2.6.

Section 2 - Accessibility and awareness

Best practice 'should' requirements

2.2.

Q: 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.

Compliance: N/A

A: Social medias are not currently listed in our process as the complaints channel. MKCC Customer Feedback Procedure lists following channels of communication for making complaints: *'A customer can make a complaint, comment, or compliment by either:*

- *Completing the online form*
- *In writing via email or a letter*
- *Phoning us'*

Section 3 - Complaint handling personnel

Mandatory 'must' requirements

3.1.

Q: 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".

Compliance: Yes

A: To ensure the complaints are dealt with effectively and efficiently, we have a dedicated Customer Service Team, who liaise between complainants and the service areas, to resolve the complaint to the customer's satisfaction.

3.2.

Q: ...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.

Compliance: Yes

A: In addition to the responsibilities of all staff, managers should:

- Ensure that their staff are familiar with the policy and identify if staff need to attend appropriate training.
- Encourage a positive attitude to customer dissatisfaction by their staff.
- Ensure that complaints are investigated and responded to within the stated timescales.
- Ensure that Investigating Officers keep records of action taken in response to complaints.
- Be aware of the volume and value of complaints about their service and take appropriate action to improve services in response to them.
- Be pro-active in publicising quality improvements made in response to complaints as lessons learnt.
- Provide a commentary on customer feedback monitoring reports to the Corporate Customer Services Manager which will be presented to the Corporate Leadership Team.

Section 3 - Complaint handling personnel

Best practice 'should' requirements

3.3.

Q: Complaint handlers should:

- 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.

Compliance: Yes

A:

1. *'be able to act sensitively and fairly'* – yes this is part of our policy
2. *'be trained to handle complaints and deal with distressed and upset residents'* – yes, we provide 'How to' guide on investigating complaints and this is available to all MKCC investigating officers
3. *'have access to staff at all levels to facilitate quick resolution of complaints'* – yes
4. *'have the authority and autonomy to act to resolve disputes quickly and fairly'* - The complaint officer has some autonomy, but this doesn't extend to all complaints, such as those that are more technical in nature

Section 4 - Complaint handling principles

Mandatory 'must' requirements

4.1.

Q: 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.

Compliance: Yes

A: We want to resolve an issue before it becomes a complaint and seek early resolution: When a customer contacts MKCC because they are dissatisfied, all officers should take responsibility and ownership to resolve the issue(s) raised, at the earliest opportunity and as close to the point of service delivery as possible. If we are unable to resolve a customer's dissatisfaction, there is a two stage complaints process to follow. All complaints are logged through our customer relationship management system which provide an immediate response including a unique reference number within 5 working days.

4.2.

Q: 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.

Compliance: Yes

A: This is part of our Customer Feedback Policy and Procedure.

4.6.

Q: A complaint investigation must be conducted in an impartial manner.

Compliance: Yes

A: Resolution of every complaint is overseen by our Customer Services Team, and an impartial Manager responsible for the service area related to the complaint. Investigating Officers must always act impartially, but when the customer is not happy with how the complaint is being handled, the responsible manager or the Customer Service Team Officer, will ensure the right, remedial actions are being taken.

4.7.

Q: The complaint handler must:

- 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.

Compliance: Yes

A: This is part of our Customer Feedback Policy and Procedure.

4.11.

Q: Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication

Compliance: Yes

A: This is part of our Customer Feedback Policy and Procedure.

4.12.

Q: The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:

- set out their position,
- comment on any adverse findings before a final decision is made.

Compliance: Yes

A: This is part of our Customer Feedback Policy and Procedure.

4.13.

Q: A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint

Compliance: No

A: The timescales are published on our Corporate Customer Service page on the MKCC website. The timescales are not currently included in the policy; however, the new policy that is being worked on will include the timescales.

4.14.

Q: 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.

Compliance: Yes

A: As per MKCC Customer Feedback Policy, if the customer is not satisfied with the decisions made at any stage of the complaint, the complaint will be escalated. If the customer is not satisfied with the result of the 2nd stage complaint, they will be signposted to Housing Ombudsman. The only reason for the complaints not to be logged such, would be when it would fall under one of the complaint exclusions listed in the policy.

4.15.

Q: 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.

Compliance: Yes

A: This is recorded in our customer relationship management system.

4.18.

Q: Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.

Compliance: Yes

A: This is included in our MKCC Positive Behaviours Policy 2019.

Section 4 - Complaint handling principles

Best practice 'should' requirements

4.3.

Q: Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic

Compliance: Yes

A: This is part of our Customer Feedback Policy and Procedure.

4.4.

Q: 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?

Compliance: Yes

A: This is part of our Customer Feedback Policy and Procedure.

4.5.

Q: 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.

Compliance: Yes

A: Residents can complain via a representative and can choose to keep a representative informed of the progress of their complaint.

4.8.

Q: 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.

Compliance: Yes

A: Where appropriate our complaints investigations would always be clear what both MKCC and the tenant are legally obliged to do in respect to their tenancy.

4.9.

Q: Communication with the resident should not generally identify individual members of staff or contractors.

Compliance: Yes

A: This is part of our Customer Feedback Procedure.

4.10.

Q: Landlords should keep residents regularly updated about the progress of the investigation.

Compliance: Yes

A: Investigating officers must keep residents informed and updated during the complaints process as stated in our Customer Feedback Policy.

4.16.

Q: 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.

Compliance: Yes

A: Our Customer Feedback Policy says –

'We encourage customers to tell us about their experience, good or bad, and/or suggest ways to improve our service delivery. This feedback can help us to:

- *improve our performance,*
- *improve our business processes,*
- *re-design our services,*
- *train and develop our staff,*
- *enhance our reputation,*
- *share good practice'.*

UPDATED – From 2023-24 is a regulatory requirement for Local Authorities to conduct a Tenancy Satisfaction Survey that includes a question about satisfaction with complaints handling which we will be able to report on from the next financial year.

4.17.

Q: 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.

Compliance: Yes

A: Our Customer Feedback Procedure says as follows:

'Learning from complaints at the earliest opportunity after the closure of the complaint, the Investigating Officer should always make sure that the customer and colleagues in the service area involved understand the findings of the investigation and any recommendations made.

Senior management will review the information gathered from complaints regularly and consider whether our services could be improved, or internal policies and procedures updated.'

4.19.

Q: 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.

Compliance: Yes

A: See note 2.5

Section 5 - Complaint stages

Mandatory 'must' requirements

Stage 1

5.1.

Q: 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 days without good reason.

Compliance: No

A: In line with our corporate customer feedback policy our timescale for completing stage 1 complaints is currently 20 working days.

5.5.

Q: 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. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident.

Compliance: Yes

A: We send the response to the customer as soon as we know the answer to the complaint.

5.6.

Q: 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.

Compliance: Yes

A: MKCC stage 1 complaints template letter covers;

- The complaint in the customer's words.
- How I considered this complaint noting elements which may fall outside of the complaint's procedure. Review of case notes, policies, and procedures etc.
- What happened details of events, may include chronology.
- My findings upheld/not upheld and why.
- Agreed actions redress if appropriate.
- Lessons learnt.
- Signposting.
- When to escalate the complaint to Stage Two.

5.8.

Q: Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language:

- 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.

Compliance: Yes

A: As per 5.6.

Section 5 - Complaint stages

Mandatory 'must' requirements

Stage 2

5.9.

Q: 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.

Compliance: Yes

A: This is part of our complaints process.

5.10.

Q: 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.

Compliance: Yes

A: This is part of our complaints process.

5.11.

Q: Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.

Compliance: Yes

A: This is part of our complaints process.

5.12.

Q: The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.

Compliance: Yes

A: If a complaint is escalated to Stage Two, it will be allocated and acknowledged by the Corporate Customer Services Team to a senior manager within the service area or if appropriate, to an independent senior manager who will carry out an investigation of the complaint.

5.13.

Q: Landlords must respond to the stage two complaint within 20 working days 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.

Compliance: Yes

A: Our response time to stage two complaints is 20 days. Currently our process allows up to 20 days, however these cases would be the exception and we must always try to deliver a final response to a complaint within 20 working days.

5.16.

Q: Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:

- 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 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.

Compliance: Yes

A: MKCC stage 2 complaints template letter covers:

- The complaint in the customer's words.
- How I considered this complaint noting elements which may fall outside of the complaint's procedure. Review of case notes, policies, and procedures etc.
- What happened details of events, may include chronology.
- My findings upheld/not upheld and why.
- Agreed actions redress if appropriate.
- Lessons learnt.
- Signpost to the Ombudsman.

However, we do not currently provide the complaint definition in our response.

Section 5 - Complaint stages

Mandatory 'must' requirements

Stage 3

5.17.

Q: 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.

Compliance: N/A

A: Our complaints process is a two-stage process. If customer is not satisfied with the decision at stage two, they would be signposted to Housing Ombudsman.

5.20.

Q: Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language:

- 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.

Compliance: N/A

A: Our complaints process is a two-stage process. If customer is not satisfied with the decision at stage two, they would be signposted to Housing Ombudsman.

Section 5 - Complaint stages

Best practice 'should' requirements

Stage 1

5.2.

Q: 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.

Compliance: Yes

A: In exceptional circumstances, where there are clear and justifiable reasons for doing so, we may agree an extension to the complaint, and this will be agreed with the resident.

5.3.

Q: 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.

Compliance: No

A: In exceptional circumstances, where there are clear and justifiable reasons for doing so, an extension may be agreed of no more than 10 working days. The Investigating Officer must keep the customer updated on the reason for the delay and give them a revised timescale for completion. If the customer does not agree to an extension but it is unavoidable and reasonable, then the Corporate Customer Services Team must consider and confirm the extension.

The reasons for the extension must be recorded on the customer feedback recording system. The proportion of complaints that exceed 20 working days and those that breach the 30-working day limit will be evident from reported statistics. These statistics are reported to the Corporate Leadership Team on a quarterly basis.

We are not currently sharing contact details for HO with the customer at stage one complaint process, however the work is in progress to rectify it.

5.4.

Q: 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.

Compliance: Yes

A: One of the aims of the Customer Feedback Policy is to identify opportunities to improve services across MKCC. We must record all complaints, comments, and compliments in a systematic way so that we can use this data for analysis and management reporting. By recording and using customer feedback information in this way, we can identify and address the causes of customer dissatisfaction and, where appropriate, identify training opportunities and introduce service improvement. We have a structured system for recording complaints, their outcomes, and any resulting action.

5.7.

Q: 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.

Compliance: Yes

A: This is part of our complaints process.

Section 5 - Complaint stages

Best practice 'should' requirements

Stage 2

5.14.

Q: 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.

Compliance: Yes

A: In exceptional circumstances, where there are clear and justifiable reasons for doing so, we may agree an extension to the complaint, and this will be agreed with the resident.

5.15.

Q: 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.

Compliance: Yes

A: This is part of our complaints process.

Section 5 - Complaint stages

Best practice 'should' requirements

Stage 3

5.18.

Q: 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 within 20 working days 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.

Compliance: N/A

A: Our complaints process is a two-stage process. If customer is not satisfied with the decision at stage two, they would be signposted to Housing Ombudsman.

5.19.

Q: 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.

Compliance: N/A

A: Our complaints process is a two-stage process. If customer is not satisfied with the decision at stage two, they would be signposted to Housing Ombudsman.

Section 6 - Putting things right

Mandatory 'must' requirements

6.1.

Q: 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.

Compliance: Yes

A: We aim to resolve complaints by putting things right where there has been a failure. Our approach will be fair and consistent across all the complaints we uphold. Where we are at fault, we will provide appropriate redress by:

- Apologising for the failure.
- Explaining what went wrong.

- Saying what we have done to put things right.
- Where appropriate, saying how we have learned from the complaint.

When dealing with customer dissatisfaction, our focus will always be on resolution. This may mean that alternative methods to the complaint procedure could be considered such as conciliation or mediation. In some circumstances we may also make an ex-gratia payment in goodwill to settle the complaint.

6.2.

Q: 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.

Compliance: Yes

A: As per 6.1.

6.5.

Q: 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.

Compliance: Yes

A: As per 6.1.

6.6.

Q: 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.

Compliance: Yes

A: If the customer requested compensation for the financial losses they experienced as a result of MKCC failure, we would always ask the customer to provide evidence of the losses, like photos, videos, receipts, and information on the time lost if applicable, and their request would be reviewed by the responsible, senior manager.

Section 6 - Putting things right

Best practice 'should' requirements

6.3.

Q: 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.

Compliance: Yes

A: This is part of our Customer Feedback Policy and Procedure.

6.7.

Q: 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.

Compliance: Yes

A: Where the situation arises in our response to the customer's complaint, we would include advise on any other legal entitlement to redress e.g., an insurance claim.

Section 7 - Continuous learning and improvement

Mandatory 'must' requirements

7.2.

Q: 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.

Compliance: Yes

A: This is included in our Customer Feedback Procedure.

UPDATE – With this year introduction of a new SharePoint Intranet we will be able to easily share the outcome of this self-assessment with all Housing Service areas.

Section 7 - Continuous learning and improvement

Best practice 'should' requirements

7.3.

Q: 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.

Compliance: Yes

A: The Landlords Directors Board will receive reports on a quarterly basis from the Head of Customer Services on the implementation of the Housing Customer Feedback Policy including data on the nature, volume of complaints received, lessons learnt, and actions taken and details of any relevant characteristics. To maintain public accountability on the effectiveness of this policy an Annual Report will also be produced and published.

7.4.

Q: As a minimum, governing bodies should receive:

- 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.

Compliance: Yes

A: As per 7.3 quarterly updates are provided to the governing body. Any suggestions or actions are taken to the Operational Managers Board for them to cascade to staff and implement.

7.5.

Q: 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.

Compliance: Yes

A: As per 7.4.

7.6.

Q: Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:

- 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.

Compliance: Yes

A: Our approach to handling feedback is led by the Council's three key values; we are dedicated, we are respectful, and we are collaborative. Milton Keynes City Council has based its Housing Customer Feedback Policy on 6 key principles listed below, and broader described in the policy:

1. Accessibility
2. Communication
3. Timeliness
4. Fairness
5. Credibility
6. Accountability

Section 8 - Self-assessment and compliance

Mandatory 'must' requirements

8.1.

Q: Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.

Compliance: Yes

A:

2020/21 – Completed.

2021/22 – Completed.

2022/23 – Completed.

8.2.

Q: Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.

Compliance: Yes

A: This self-assessment covers period following restructure of Customer Service Team (Previously known as Customer Feedback Team)

8.3.

Q: Following each self-assessment, a landlord must:

- 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.

Compliance: Yes

A:

1. Yes - Result of this self-assessment, recommendations, and request for the decisions to be made, have been presented to the board and will be shared with the appropriate elected members.
2. Yes – Self-assessment has been published on our website.
3. Yes – We provided this note in the 2022/23 Tenants Annual Report – *‘The Complaint Handling Code sets out good practice for landlords to respond to complaints. You can find it online at www.housing-ombudsman.org.uk. Each year we assess ourselves against the code, and you can find our assessment at www.milton-keynes.gov.uk’*