

## Appendix A: Self-assessment form

This self-assessment form should be completed by the complaints officer and it must be reviewed and approved by the landlord's governing body at least annually.

Once approved, landlords must publish the self-assessment as part of the annual complaints performance and service improvement report on their website. The governing body's response to the report must be published alongside this.

Landlords are required to complete the self-assessment in full and support all statements with evidence, with additional commentary as necessary.

We recognise that there may be a small number of circumstances where landlords are unable to meet the requirements, for example, if they do not have a website. In these circumstances, we expect landlords to deliver the intentions of the Code in an alternative way, for example by publishing information in a public area so that it is easily accessible.

## Section 1: Definition of a complaint

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
1.2	A complaint must be defined as: <i>'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.'</i>	Y	Complaint policy section 4.0	
1.3	A resident does not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make complaint. A complaint that is submitted via a third party or representative must be handled in line with the landlord's complaints policy.	Y	Complaint policy section 5.3	
1.4	Landlords must recognise the difference between a service request and a complaint. This must be set out in their complaints policy. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be	Y	Complaint policy section 4.0 & 20.3 and appendix 3	Pivotal wording: 4.0 Requests relating to service shortfalls (pre-complaint) – where this can be promptly addressed to the satisfaction of the customer, it is not a complaint (although it may become a

	recorded, monitored and reviewed regularly.			<p>complaint if not dealt with promptly). It is important to recognise the difference between a service shortfall and formal complaint.</p> <p>20.3 Colleagues will be trained and supported to enable them to resolve pre-complaints expression of dissatisfaction with service shortfalls informally and promptly whenever possible. However, where this is not achieved and a matter is escalated, Pivotal will view complaints as valuable assets with the potential to inform service improvement and improve customer satisfaction.</p> <p>Appendix 3 details Housing ombudsman Service Request or Complaint – Flow chart</p>
1.5	A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Landlords must not stop their efforts to address	N		

	the service request if the resident complains.			
1.6	An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.	N	Complaints policy section 22.2	<p>Reads: Pivotal carries out annual customer surveys. These will include information about how customers can pursue service dissatisfaction as a complaint if they wish to do so.</p>

## Section 2: Exclusions

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
2.1	Landlords must accept a complaint unless there is a valid reason not to do so. If landlords decide not to accept a complaint they must be able to evidence their reasoning. Each complaint must be considered on its own merits	N	Complaint policy section 5.2 & 5.5	State that Pivotal will accept a complaint unless there is a valid reason not to do so but does not include that they must be able to evidence their reasoning.
2.2	<p>A complaints policy must set out the circumstances in which a matter will not be considered as a complaint or escalated, and these circumstances must be fair and reasonable to residents. Acceptable exclusions include:</p> <ul style="list-style-type: none"> <li>• The issue giving rise to the complaint occurred over twelve months ago.</li> <li>• Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.</li> </ul>	Y	Complaints policy section 6.1 a, c & f	

	<ul style="list-style-type: none"> <li>Matters that have previously been considered under the complaints policy.</li> </ul>			
2.3	Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.	N	Complaint's policy section 6.1 (a)	Reads: When we will not deal with a complaint under this policy; the issue/situation giving rise to the complaint occurred over 12 months ago (unless related to safeguarding or health and safety matters).
2.4	If a landlord decides not to accept a complaint, an explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.	Y	Complaints policy section 6.2	
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	N		

### Section 3: Accessibility and Awareness

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
3.1	Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.	Y	Complaint policy section 7.1, 7.2 & 8.1	
3.2	Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.	Y	Complaint policy section 7.1	
3.3	High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.	N	Complaints policy section 11.1	<p>Reads: Pivotal colleagues should always take a positive approach to complaints, viewing them as an opportunity for service improvement.</p> <p><i>However; this does not express that High volumes</i></p>

				<i>are to be seen as negative and low volumes are potentially a sign residents are unable to complaint.</i>
3.4	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two stage process, what will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord's website.	Y	Complaints Policy section 9.3	Heading of the policy details that the P&P is available in other languages and formats including Braille and Audio on request.
3.5	The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code.	Y	Complaint's policy section 21.4	
3.6	Landlords must 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.	Y	Complaint's policy section 8.5	
3.7	Landlords must provide residents with information on their right to access the Ombudsman service and how the individual can engage with the Ombudsman about their complaint.	Y	Complaint's policy section 16.2	



## Section 4: Complaint Handling Staff

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
4.1	Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the 'complaints officer'. This role may be in addition to other duties.	Y	Complaint's policy section 13.1	However; this section does not specify the person with responsibility for liaison with the Ombudsman
4.2	The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly.	N	Complaint's policy sections 5.1 & 13.1	5.1 identifies the lead officer as 'Director of Housing & Communities'. Section 13.1 identifies a 'Designated complaints Handler' and an 'Assigned Manager' responsibility for handling a complaint.
4.3	Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and must be resourced to handle complaints effectively	Y	Complaint's policy sections 19.5 & 20.3	19.5 – learning and continuous improvement  20.3 – Colleagues will be trained and supported. Complaints viewed as a valuable asset for potential to inform service

				improvement and customer satisfaction.
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### Section 5: The Complaint Handling Process

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
5.1	Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain.	Y	One policy & procedure for all	
5.2	The early and local resolution of issues between landlords and residents is key to effective complaint handling. It is not appropriate to have extra named stages (such as 'stage 0' or 'informal complaint') as this causes unnecessary confusion.	Y	Complaints policy section 9.3	Explains 2 stage process
5.3	A process with more than two stages is not acceptable under any circumstances as this will make the complaint process unduly long and delay access to the Ombudsman.	Y	As above	
5.4	Where a landlord's complaint response is handled by a third party (e.g. a contractor or independent adjudicator) at any stage, it must form part of the two stage complaints process set out in this Code. Residents must not be	N		

	expected to go through two complaints processes.			
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	N		
5.6	When a complaint is logged at Stage 1 or escalated to Stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will refer to this as “the complaint definition”. If any aspect of the complaint is unclear, the resident must be asked for clarification.	N	Complaints policy Sections 5.6 & 9.2 & 9.3	<p>5.6 – Reads: Pivotal will work with customers from the outset to ensure that we understand the outcome the customer would like and can manage expectations should that become unrealistic. <i>This section falls short of ‘the complaint definition’</i></p> <p>9.2 – establish facts from customer and clarify the desired outcome.</p> <p>9.3 – acknowledgement of complaint in writing</p>
5.7	When a complaint is acknowledged at either stage, landlords must be clear which aspects of the complaint they are, and are not, responsible for and	Y	Complaint’s policy section 9.3	

	clarify any areas where this is not clear.			
5.8	<p>At each stage of the complaints process, complaint handlers must:</p> <ul style="list-style-type: none"> <li>a. deal with complaints on their merits, act independently, and have an open mind;</li> <li>b. give the resident a fair chance to set out their position;</li> <li>c. take measures to address any actual or perceived conflict of interest; and</li> <li>d. consider all relevant information and evidence carefully.</li> </ul>	Y	Complaint's policy section 9.3	
5.9	Where a response to a complaint will fall outside the timescales set out in this Code, the landlord must agree with the resident suitable intervals for keeping them informed about their complaint.	Y	Complaint's policy section 9.3	
5.10	Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review.	N	Complaint's policy section 8.1	<p>Details complying with Equality Cat 2010 and reasonable adjustments but does not refer to recording of disabilities a resident has disclosed as part of the complaints Process.</p> <p>However; disability information is recorded on individual files routinely.</p>

5.11	Landlords must not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do so. Landlords must clearly set out these reasons, and they must comply with the provisions set out in section 2 of this Code.	N	Complaint's policy section 9.3	Reads: it is at the direction of the Director of Housing and Communities to decide whether they will accept an appeal. Where they decide not to accept an appeal, the complainant will be provided an explanation for this making it clear that the stage 1 response was final and sign-posting them to the Housing Ombudsman internal process.
5.12	A full record must be kept of the complaint, and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.	Y		We record or complaints on a central register and store all information relating to the complaint including investigation details within a designated complaints folder for each individual complaint made.
5.13	Landlords must have processes in place to ensure a complaint can be remedied at any stage of its complaints process. Landlords must ensure appropriate remedies can be provided at any stage of the complaints process without the need for escalation.	Y	Complaints policy section 8.6	The organisation has a compensation P&P as detailed in section 8.6 of the complaints policy.
5.14	Landlords must have policies and procedures in place for managing	N	Complaints policy section 12	Currently this is largely covered by our ASB P&P

	unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review.			however; a vexatious behaviour P&P is currently under review with senior leaders.
5.15	Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.	N	As above	

## Section 6: Complaints Stages

### Stage 1

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.1	Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident.			Process not clearly defined
6.2	Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure <b><u>within five working days of the complaint being received.</u></b>	Y	Complaint policy section 9.3	All complaints are acknowledged within 5 working days with a 10 working day from acknowledgement resolution where possible. This is clearly defined on the central register but acknowledge that clarity of timescale for acknowledgement could be included within the P&P
6.3	Landlords must issue a full response to stage 1 complaints <b><u>within 10 working</u></b>	Y	Complaints policy section 9.3	This part is clearly explained within the complaints policy

	<b>days</b> of the complaint being acknowledged.			
6.4	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident.	Y	Complaints policy section 9.3	
6.5	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Y		This is clearly expressed within the standard complaint's response letters at each stage.
6.6	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Y		Whilst this is not clearly defined in the P&P all staff are trained and monitored to ensure a full response is provided once the answer to the complaint is known and not when outstanding actions are required to be addressed. All outstanding actions are recorded on a central register and regular updates are provided to residents in person and in writing.
6.7	Landlords must address all points raised in the complaint definition and	Y	Complaint policy section 11.2	



	provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.			
6.8	Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.	N	Complaints policy Section 12.1	Describes unreasonable demands such as 'repeatedly changing the substance of a complaint' but is not specific to new issues raised during a complaint.
6.9	Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language: <ul style="list-style-type: none"> <li>a. the complaint stage;</li> <li>b. the complaint definition;</li> <li>c. the decision on the complaint;</li> <li>d. the reasons for any decisions made;</li> <li>e. the details of any remedy offered to put things right;</li> <li>f. details of any outstanding actions; and</li> <li>g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.</li> </ul>	Y		This is defined in the template letters responding to complaints

Stage 2

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.10	If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it must be progressed to stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.	N	Complaints policy section 9.3	<p>Reads: Where the above is not possible, Pivotal will always seek to resolve complaints as promptly as we can using the 2-stage process outlined below.</p> <p><i>However; it does not describe that it <b>will</b> progress to stage 2</i></p>
6.11	Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure within five working days of the escalation request being received.	Y	Complaints policy section 9.3	
6.12	Residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.	N		Our policy states it is the discretion of the Director of Housing & Communities to decide whether they will accept an appeal.
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.	N	Complaints policy section 9.3	Describes the complaint handler for Stage 1 and Director at stage 2 but does not specify the two cannot be the same person but operationally the two are never the same person.

6.14	Landlords must issue a final response to the stage 2 <b><u>within 20 working days</u></b> of the complaint being acknowledged.	Y	Complaints policy section 9.3	
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.	Y	Complaints policy section 9.3 & 14.2	<p>Section 9.3: Describes the Director of Housing and Communities will provide a written explanation for not meeting the 20 working day timescale and will provide a timeframe. The policy does not specify that it would not usually exceed a further 20 days.</p> <p>Section 14.2 explains for both Stage 1 &amp; 2 an extension shall not exceed 10 working days.</p>
6.16	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Y	Extension standard template letter includes this information.	
6.17	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	N		Whilst a final response is only given when all the information has been addressed this is not specified within the P&P.

6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Y	Complaints policy section 11.2	
6.19	Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language: a. the complaint stage; b. the complaint definition; c. the decision on the complaint; d. the reasons for any decisions made; e. the details of any remedy offered to put things right; f. details of any outstanding actions; and g. details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.	Y	Complaint standard response letters for both stage 1 & 2	
6.20	Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.	Y	Complaints policy section 9.3	Details all stage 2 complaints are handled by the Director of Housing & Communities.

### Section 7: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
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7.1	<p>Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include:</p> <ul style="list-style-type: none"> <li>• Apologising;</li> <li>• Acknowledging where things have gone wrong;</li> <li>• Providing an explanation, assistance or reasons;</li> <li>• Taking action if there has been delay;</li> <li>• Reconsidering or changing a decision;</li> <li>• Amending a record or adding a correction or addendum;</li> <li>• Providing a financial remedy;</li> <li>• Changing policies, procedures or practices.</li> </ul>	N	Appendix 1	<p>Covers these requirements but does not list the following in detail:</p> <ul style="list-style-type: none"> <li>• Taking action if there has been a delay</li> <li>• Reconsidering or changing a decision</li> <li>• Amending a record or adding a correction or addendum</li> <li>• Providing a financial remedy</li> <li>• Changing policies, procedures or practices</li> </ul>
7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.	N		
7.3	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.	N		
7.4	Landlords must take account of the guidance issued by the Ombudsman	N		

	when deciding on appropriate remedies.			
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## Section 8: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
8.1	<p>Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include:</p> <ul style="list-style-type: none"> <li>a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements.</li> <li>b. a qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept;</li> <li>c. any findings of non-compliance with this Code by the Ombudsman;</li> <li>d. the service improvements made as a result of the learning from complaints;</li> <li>e. any annual report about the landlord's performance from the Ombudsman; and</li> <li>f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.</li> </ul>	Y	Annual complaints performance and service improvement report providing all information requests.	When submission was carried out.

8.2	The annual complaints performance and service improvement report must be reported to the landlord's governing body (or equivalent) and published on the on the section of its website relating to complaints. The governing body's response to the report must be published alongside this.	N		Complaints performance service report issued on Pivotal website but governing body's response to the report is not published alongside this.
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	N/A	Charity acknowledges it understands the requirement of this provision.	
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	N/A	The Charity has not been asked to review and update the SA – but Charity understands the requirement of this provision	
8.5	If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website Landlords must provide a timescale for returning to compliance with the Code.	N/A	This has not happened but the Charity acknowledges and understands the requirement of this provision.	



## Section 9: Scrutiny & oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
9.1	Landlords must look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.	Y	Annual complaint's performance and service improvement report	Reflective practice is carried out throughout the year following completion of complaints and logged on a central register along with a review of performance annually.
9.2	A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.	Y	Annual complaint's performance and service improvement report	Annual Operational team review
9.3	Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.	Y	Annual complaint's performance and service improvement report	Central register is maintained and presented to the board on an annual basis.
9.4	Landlords must appoint a suitably senior lead person as accountable for their complaint handling. This person must assess any themes or trends to identify potential systemic issues,	Y	Complaints Policy section 5.1	Director of Housing & Communities

	serious risks, or policies and procedures that require revision.			
9.5	In addition to this a member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').	N		
9.6	The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.	N		
9.7	As a minimum, the MRC and the governing body (or equivalent) must receive: <ul style="list-style-type: none"> <li>a. regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance;</li> <li>b. regular reviews of issues and trends arising from complaint handling;</li> <li>c. regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with</li> </ul>	N		

	orders related to severe maladministration findings; and d. annual complaints performance and service improvement report.			
9.8	Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to: a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments; b. take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and c. act within the professional standards for engaging with complaints as set by any relevant professional body.	N		