

**HOMES POLICY DEVELOPMENT GROUP
31 MAY 2022**

MID DEVON HOUSING COMPLAINTS HANDLING REPORT

Cabinet Member(s): Councillor Stuart Penny
Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report and Recommendation: To provide an overview of Mid Devon Housing's (MDH) plan to implement and promote a positive complaint handling culture and drive service improvement through lessons learned from complaints, to Members.

Recommendation:

That the review findings of compliance against the Housing Ombudsman's Complaints Handling Code (in Annex 1) be agreed.

Financial Implications: No direct implications arising from this report.

Budget and Policy Framework: Ditto

Legal Implications: There is also a requirement for MDH to manage complaints in line with the recently introduced Complaints Handling Code which is issued by the HOS. Landlords are expected to self-assess against the Housing Ombudsman's Complaint Handling Code. Landlords are required to use the learning from complaints to drive service improvement.

Risk Assessment: Not applicable

Equality Impact Assessment: The Complaints Handling Code requires landlords to have an awareness of accessibility so residents can easily be able to access the complaints procedure via several routes.

Relationship to Corporate Plan: Homes and the environment are a priority for the Council and this includes increasing the supply of affordable homes in the District and also supporting and growing active tenant engagement.

Impact on Climate Change: None directly arising from this report.

1.0 Introduction and background

1.1 Increased tenant satisfaction is at the heart of major changes to the regulatory landscape for social housing that have recently been introduced or are currently being implemented by the Government. Central to this change is an enhanced complaints handling approach required of social housing providers by its regulators. Overall, it will put in place one of the most comprehensive, proactive consumer regulation regimes covering local government and private social landlords.

- 1.2 This report sets out how Mid Devon Housing (MDH) will implement and promote an effective complaints culture and meet these regulatory requirements. More information on the regulatory framework is provided in Section 2.
- 1.3 The report template will be refined going forward with the aim of providing data to the Homes Policy Development Group (PDG) on a yearly basis. It will also show how MDH will report on complaint handling and drive service improvement forward from lessons learnt.
- 1.4 The report needs to provide an overview of regulatory requirements as governed by the Regulator for Social Housing (RSH). It should also explain the reporting framework which MDH has adopted to keep members, stakeholders and tenants informed of their complaint handling processes. Finally, it will also provide an overview of MDH's compliance with the Complaints Handling Code operated by the Housing Ombudsman Service (HOS).
- 1.5 Annex 1 contains the outcome of the self-assessment against the revised Complaints Handling Code. The length, detail and format of the self-assessment are fixed by the Housing Ombudsman and provides the core, transparent basis of measuring compliance with the Code.
- 1.6 Annex 2 provides examples of lessons learned from complaint handling during the financial year 2021-22.
- 1.7 Annex 3(i) shows performance relating to complaints during the financial year 2021-2022.
- 1.8 Annex 3(ii) shows complaints closed by category during the financial year 2021-22.
- 1.9 Annex 4 shows MDH Landlord Performance Data for the financial year 2020-21.
- 1.10 Members of the PDG are asked to advise if there are any additions or amendments required to inform work on the further development of the report.
- 2.0 **The role of the Regulator**
- 2.1 The Regulator for Social Housing (RSH) operates the regulatory framework which contains a number of standards which set out the required outcomes and specific expectations associated with the performance of registered social landlords.
- 2.2 The Tenant and Empowerment Standard contains provisions relating to how landlords shall offer a range of ways for tenants to express a complaint and sets out clear service standards for responding to complaints, including complaints about performance against the standards and details of what to do if they are unhappy with the outcome of a complaint.

- 2.3 The Social Housing White Paper: Charter for Social Tenants (the White Paper), published in November 2020, placed a greater emphasis on tenants being treated with respect, backed by a strong consumer regulator and improved consumer standards for tenants.
- 2.4 The RSH is currently consulting on a suite of Tenant Satisfaction Measures (TSMs). This is ahead of changes to the regulatory framework which will be implemented by the Government in the near future by means of new legislation. MDH will be required to submit data on TSMs to the RSH on a regular basis and this data is likely to include performance information relating to the management of complaints.
- 2.5 The RSH has also provided information on proposed changes to the regulatory framework which will have the effect of strengthening it. There will be more standards as a result of the changes but it is understood that the revised framework will still ensure that social landlords are required to manage complaints effectively and to offer redress, as appropriate.

3.0 Reporting Framework

- 3.1 MDH has set out the proposal setting out how members, stakeholders and tenants will be informed about complaint handling in this paper. It also contains information on how lessons learnt from complaints will drive service improvement going forward.
- 3.2 The Plan will be kept under review on an annual basis. The aim is to provide more opportunities to promote complaint handling. This will be achieved by:
- Presenting this report to PDG yearly ensuring that ongoing work to meet responsibilities relating to complaints is kept under review;
 - Complaint performance measures will be included in the quarterly Enforcement Activity Report already presented to members;
 - Ensuring that outcomes arising from TSM data are published in MDH's Annual Report;
 - Ensuring that relevant information relating to each annual Complaints Handling self-assessment is included in the MDH annual report section on complaints handling performance;
 - Providing ad hoc opportunities to seek views of tenants and sharing lessons learnt/best practice. This will be achieved through promoting complaint handling using social media platforms, surveys, providing tenant involvement opportunities and carrying out consultation exercises.
 - Providing briefing sessions to staff to promote a positive complaint handling culture;
 - Adopting an internal action plan that sets out how we identify service failure and implement positive change, and
 - Sharing lessons learnt to drive service improve.

4.0 Complaints Handling Code

- 4.1 The Complaints Handling Code requires registered providers of social housing (RPs) to inform tenants about how they use complaints to improve their

services. (RPs are expected to publish information about complaints each year, including data relating to numbers, and information on the nature and the outcome of each complaint. RPs must accept complaints made by advocates authorised to act on a tenant's/tenants' behalf.

- 4.2 The HOS expects RPs to have in place an effective and positive complaint handling process. This facilitates landlords having insight into the services provided by them and how they are perceived and received by others.
- 4.3 The lessons learned from a complaint can improve the quality and focus of services provided, whether this is to the individual tenant or to a collective group of tenants. The learning process can strengthen landlord and tenant relationships as well as provide a mechanism for encouraging positive tenant engagement.
- 4.4 The White Paper sets out the actions the government will take to ensure that residents in social housing are safe, are listened to, live in good quality homes and have access to redress when things go wrong. The new legislation planned in relation to social housing will enable the government to implement the required changes to achieve these outcomes.
- 4.5 Chapter 3 of the Charter explains how complaints should be dealt with promptly and fairly. Tenants should receive a swift and effective resolution of complaints and fair redress when needed.
- 4.6 Landlords are expected to provide residents with consistency across landlord complaint handling functions by ensuring landlords self-assess against the Housing Ombudsman Complaint Handling Code. Landlords are expected to review this on an annual basis.
- 4.7 The White Paper contains an expectation that RPs will be transparent about their performance and decision making so that tenants can hold them to account, put things right when things go wrong and listen to tenants through effective engagement.
- 4.8 The HOS expects landlords to consider their dispute resolution principles and to learn from complaint outcomes.
- 4.9 The HOS has conducted a review of the Complaints Handling Code, one year after it took effect. The Code has been strengthened to support a positive complaint handling culture.
- 4.10 Landlords are expected to raise awareness of their complaints process and those of the HOS.
- 4.11 The Code identifies good practice and says that a member of the governing body should be identified as having lead responsibility for complaints. The Cabinet Member for Housing should take on this role. Staff employed by the RP should also be given a standard objective related to effective complaint handling and, going forward, this will be covered during the annual performance and development review meetings with all Officers who deliver landlord services.

- 4.12 The Code reinforces the importance of learning from complaints and does this by stating that the self-assessment should be completed as an annual exercise.
- 4.13 These changes took effect from 1 April 2022 and landlords will have up until 1 October 2022 to become compliant. The annual self-assessment against the HOS's Complaints Handling Code recently completed is included in Annex 1 to ensure that the deadline is met.

5.0 Lessons Learned

- 5.1 The report in Annex 2 shows an overview of some types of complaints the landlord has received, identifies the lessons learned and provides an example of service improvement as a result of complaints during the financial year 2021-22.

6.0 Performance relating to Complaints 2021-22

- 6.1 Overall, 171 complaints were received. Of these, 144 were dealt with at Stage 1 and 27 at Stage 2. 55% or 94 complaints (84 at Stage 1 and 10 at Stage 2) were upheld and therefore 45% or 77 complaints were not upheld. This compares to 83 complaints in total for 2020-21 (of which a slightly higher 53% were upheld).
- 6.2 Consequently, there has been an increase in complaints during the financial year 2021-22 in comparison to 2020-21. This was common across almost all social housing providers nationally and with frontline services in general as a result of operating pressures and constraints in parallel with huge social upheaval with tenants experiencing second wave of lockdown and more embedded working from home changes as a result of the Covid pandemic.
- 6.3 As a result, the performance for 2021-22 is somewhat exceptional and very difficult to benchmark. It must be viewed in the context of MDH working within one of the most disruptive and challenging operating landscapes caused by Covid. In addition to those challenges noted, this also imposed rapidly stood-up new ways of working, enhanced/more complex safety practices and resource shortages (staff and material) requiring periods of working within the scope of the service Business Continuity Plans.
- 6.4 Nonetheless, to provide context, the 77 upheld complaints in 2021-22 equate to around 2.7% of our housing units (circa 3,000 units). Furthermore, during this period MDH managed over 5,300 repairs and more than 5,000 other service requests (rents/tenancy) across tens of thousands of specific issues and points of service.
- 6.5 The majority of complaints received during the financial year 2020-21 were in response to work carried out by the repairs and maintenance functions of the service. This is a common theme often seen in complaints to other RPs as seen in the information provided by the HOS.

6.6 Within the upheld complaints, some 18 specific lessons learnt were identified and actioned up as a result of the service review and continuous improvement process.

6.6 These complaints were responded to in a timely way and by upholding over half with identified lessons and outcomes it shows that the process is open and transparent and that there is a willingness to accept that things may have gone wrong.

6.7 More information is provided in Annexes 2 and 3.

7.0 Landlord Performance Data 2020-21

7.1 The HOS has produced its first annual review of complaints handling. The reports relating to individual landlords shows an expected correlation between the number of complaints received the HOS and landlord size.

7.2 Annex 4 shows MDH's Landlord Performance Data for the financial year 2020-21. With 20% or 1 of 5 complaints received by the HOS regarding Mid Devon being identified as maladministration placed the service as slightly better than average where typically 25% of HOS are upheld in this category.

7.3 Typically (but not exclusively), cases referred to the HOS are some of the most complex and challenging ones.

7.4 Of the 5 complaints received by the HOS during 2020-21, just 1 was found to be as a result of maladministration by the Council. In 2 further cases no maladministration was found and 2 were found to be outside of the jurisdiction of the ombudsman.

7.5 Unfortunately, the HOS is only currently reporting landlord data for the previous year i.e. 2020-21 and does not expect to publish more comparable 2021-22 data until later this year. As a result, until 2021-22 data is ratified by the HOS then we do not have more formal information on any more recent Stage 3 complaints at this stage.

7.6 Informally, we have records of just 1 complaint reaching Stage 3 during 2021-22 and being referred to the HOS. This was a particularly complex case covering some 8 specific issues and the determination letter from the HOS found 3 areas of service failure and no maladministration on the other 5 matters.

8.0 Recommendation

8.1 It is recommended that the review of compliance against the HOS's Complaints Handling Code (as attached in Annex 1) be published by the Council.

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Circulation of the Report:

Cllr Stuart Penny, Cabinet Member for Housing and Property Services
Leadership Team / Corporate Management Team

All Operations Managers / Legal Services

Annex 1

Complaints Handling Code Self-Assessment form

Appendix B – Self-Assessment Form

This self-assessment form should be completed by the complaints officer and discussed at the landlord's governing body annually.

Evidence should be included to support all statements with additional commentary as necessary.

Explanations must also be provided where a mandatory 'must' requirement is not met to set out the rationale for the alternative approach adopted and why this delivers a better outcome.

Section 1 - Definition of a complaint

Mandatory 'must' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 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 | <p>The definition used by the Council, in the Mid Devon District Council's (MDDC) Complaints and Feedback Policy, as published on-line can be found at: https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</p> <p>The Policy states the following definition: "An expression of dissatisfaction about the council's action or lack of action or about the standard of a service, whether the action taken or the service was provided by the council itself or a body acting on behalf of the council".</p> <p>No changes are deemed to be necessary in relation to this definition due to the fact that it is very close to the definition suggested by the Housing Ombudsman Service (HOS). It is based on the definition provided by the Local Government Ombudsman.</p> <p>MDH uses the HOS definition of a complaint on their housing pages at: https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</p> |

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| <p>1.8</p> | <p>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.</p> | <p>Yes</p> | <p>The MDDC Complaints and Feedback Policy states under section 9 – Unreasonable, unreasonably persistent and vexatious complaints.</p> <p>In line with our policy relating to Complaints and Feedback, the Council will not treat an initial request for a service to be delivered as a complaint.</p> <p>The policy identifies situations and ways of responding where a complainant might be considered to be making complaints which are unreasonable, unreasonably persistent and vexatious.</p> <p>The policy contains explicit reference to this: “The policy is intended to assist in managing people by categorising them within these terms and agreeing the actions to be taken”.</p> <p>It also states that: “Officers and Members will endeavour to respond appropriately according to the individual complainant’s needs, and in compliance with our complaints policy, but this guidance is to cover occasions where nothing further can be reasonably done to assist or rectify a real or perceived problem.”</p> <p>The Complaints and Feedback Policy as published on-line can be found at: https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</p> |
| <p>1.9</p> | <p>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.</p> | <p>Yes</p> | <p>Mid Devon Housing (MDH) uses a standard template letter which refers to the Complaints and Feedback Policy.</p> |

Best practice 'should' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 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 | Examples of Service Requests are available on the Housing webpage at: https://www.middevon.gov.uk/residents/housing/mid-devon-housing/ |
| 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 | MDH send out a range of tenant satisfaction surveys. The Customer Engagement Team will follow up any expressions of dissatisfaction. |

Section 2 - Accessibility and awareness

Mandatory 'must' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 2.1 | Landlords must make it easy for residents to complain by providing different channels through which residents can make a complaint such as in person, over the telephone, in writing, by email and digitally. While the Ombudsman recognises that it may not be feasible for a landlord to use all of the potential channels, there must be more than one route of access into the complaints system. | Yes | <p>MDH offers a wide range of different ways to raise a complaint.</p> <p>Information is available on the Housing webpage at: https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</p> <p>Additional information is available on the Council's webpages below:</p> <p>The Complaints and Feedback Policy states under section 8 the following:</p> <p>8. Assistance for complainants</p> <p>Complaints do not have to be in writing and can be made in whatever format is most suitable for the complainant; this can be by phone, email, writing a letter, using our on-line form, or in person.</p> <p>Information is available on the Council's webpage at https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</p> |
| 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 | <p>The Council's website is accessible. A copy of the Complaints and Feedback Policy is available online.</p> <p>Information is available on the Council's webpage at https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</p> <p>Information is available on the Housing webpage at: https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</p> |
| 2.4 | Landlord websites, if they exist, must include information on how to raise a complaint. The complaints policy and | Yes | <p>Information is available on the Council's webpage at https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</p> |

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| | process must be easy to find on the website. | | Information is available on the Housing webpage at: https://www.middevon.gov.uk/residents/housing/mid-devon-housing/ |
| 2.5 | <p>Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs.</p> <p>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.</p> | Yes | <p>The Complaints and Feedback Policy states under section 8 the following:</p> <p>8. Assistance for complainants Complaints do not have to be in writing and can be made in whatever format is most suitable for the complainant; this can be by phone, email, writing a letter, using our on-line form, or in person.</p> <p>Complaints can be made on behalf of customers who are unable to make the complaint themselves. Customer First staff are available to help customers who are unsure what to do.</p> <p>Support can be provided for those who have difficulty reading or writing.</p> <p>Information about the complaints procedure can be provided in an alternative format on request.</p> <p>Information is available on the Council's webpage at https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</p> |
| 2.6 | Landlords must publicise the complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme in leaflets, posters, newsletters, online and as part of regular correspondence with residents. | Yes | MDH publicises a range of documents on their website and provides additional information via social media and via communications with tenants. |

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| 2.7 | Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents. | Yes | MDH complaint letters contain advice to tenants how to access the Housing Ombudsman Service. |
| 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 | MDH complaint letters contain advice to tenants how to access the Housing Ombudsman Service. |

Best practice 'should' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
|--------------|--|----------------|---|
| 2.2 | 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 | <p>The Complaints and Feedback Policy under sections 6 and 7 contain the following generic information:</p> <p>6. Confidentiality All complaints will be dealt with in the strictest confidence.</p> <p>7. Provision of Information We will protect customers' privacy both in face to face discussions and in the transfer and storage of information.</p> <p>All staff complete data protection training at induction and have regular updates on their responsibility in relation to the protection of personal information.</p> <p>Where customers provide information we will make it clear what is required and only retain as much data as is required for that purpose.</p> <p>Information is available on the Council's webpage at https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</p> <p>MDH webpage provides useful information for tenants on confidentiality and privacy when communicating with its tenants via social media.</p> |

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| | | | <p>Information is available on the housing webpage at: https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</p> <p>Those officers that monitor both the MDH and corporate webpages understand the need to escalate complaints to the Complaints Officer.</p> |
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Section 3 - Complaint handling personnel

Mandatory 'must' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 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 | Complaints Officer in post. |
| 3.2 | ...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest. | Yes | The Complaints Officer is suitably qualified and meets the requirements of the job specification and description for the job role. |

Best practice 'should' requirements

| Code section | Code requirement | Comply : Yes/No | Evidence, commentary and any explanations |
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| 3.3 | Complaint handlers should: <ul style="list-style-type: none"> • be able to act sensitively and fairly • be trained to handle complaints and deal with distressed and upset residents • have access to staff at all levels to facilitate quick resolution of complaints • have the authority and autonomy to act to resolve disputes quickly and fairly. | Yes | The Complaints Officer is suitably qualified and meets the requirements of the job specification and description for the job role. |

Section 4 - Complaint handling principles

Mandatory 'must' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
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| 4.1 | Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord's audit trail/records should be able to demonstrate this. Landlords must ensure that efforts to resolve a resident's concerns do not obstruct access to the complaints procedure or result in any unreasonable delay. It is not appropriate to have extra named stages (such as 'stage 0' or 'pre-complaint stage') as this causes unnecessary confusion for residents. When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure within five days of receipt. | Yes | MDH acknowledge all complaints within 3 working days of receipt of complaint. The Complaints and Feedback Policy states the following: All complaints will be acknowledged within three working days and resolved within 10 working days where possible (Stage 1). Information is available on the Council's webpage at https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/ |

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| | | <p>MDH have secure files in an electronic document management system and there is a two stage procedure in line with the policy.</p> <p>There is no pre-complaint stage.</p> <p>MDH use an integrated electronic housing management system and information about tenants and properties is held securely on that. Officers have been made aware of the need to record all relevant information. Records may also be stored in shared files or on the electronic document management system.</p> |
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| 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 | MDH highlight what the complaint is about and how the tenant would like to resolve the complaint within their acknowledgement letter. |
| 4.6 | A complaint investigation must be conducted in an impartial manner. | Yes | The Complaints Officer investigates complaints and responds at stage 1. Should a complainant wish to escalate their complaint, the matter is reviewed by a more senior manager. |
| 4.7 | <p>The complaint handler must:</p> <ul style="list-style-type: none"> • deal with complaints on their merits • act independently and have an open mind • take measures to address any actual or perceived conflict of interest • consider all information and evidence carefully • keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter. | Yes | <p>The Complaints Officer job role sits in the Finance & Performance Team and reports to the Housing Finance and Performance Manager who has no day to day responsibility for tenancy and estate management, repairs and maintenance or tenant involvement. Locating the Complaints Officer in a support team ensures that they are divorced from day to day decision-making relating to property and case management.</p> <p>In the event of any conflict of interest, this will be disclosed by the Complaints Officer.</p> |
| 4.11 | Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication | Yes | <p>MDH will tailor their communications to the preferred method of the tenant.</p> <p>MDH gathers data about tenant's individual communication preferences which are added to a housing management system.</p> |

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| <p>4.12</p> | <p>The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:</p> <ul style="list-style-type: none"> • set out their position • comment on any adverse findings before a final decision is made. | <p>Yes</p> | <p>MDH offer a wide range of opportunities for tenants and staff to discuss their complaint in more detail.</p> <p>MDH provides the tenant with a provisional outcome of investigations letter prior to finalising the complaint.</p> |
| <p>4.13</p> | <p>A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint.</p> | <p>Yes</p> | <p>Details are included in MDH letters.</p> |
| <p>4.14</p> | <p>A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints</p> | <p>Yes</p> | <p>Any refusal of a complaint will be in accordance with the Complaints and Feedback Policy.</p> |

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| | 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 | MDH have secure files in an electronic document management system where this data is stored. |
| 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 | The MDDC Complaints and Feedback Policy states under sections 9 and 10 how to deal with unreasonable, unreasonably persistent and vexatious complaints. Information is available on the Council's webpage at https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/ |

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 | Information is available on the Housing webpage at: https://www.middevon.gov.uk/residents/housing/mid-devon-housing/ |
| 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 | The Council provides a wide range of ways to report complaints which gives them the opportunity to report their complaint and how the matter can be resolved. Any urgent actions raised are passed onto the relevant person/Team/service to act on. |
| 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 | MDH acknowledgement letter states the following: If you would like help from someone else, there are several choices: •Your District Councillor is there to represent you and, if you wish, you can ask him or her to help you. •You could also contact an advisory agency such as the Citizens Advice Bureau. The Housing Ombudsman Service also provides tenants with advice on complaints handling and they can be contacted at: • Tel: 0300 111 3000 • Email: info@housingombudsman.org.uk • Fax: 020 7831 1942 |

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| 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 | Tenants are referred to the terms and conditions of the Tenancy Agreement, Policies and Procedures where applicable. |

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| 4.9 | Communication with the resident should not generally identify individual members of staff or contractors. | Yes | MDH will identify individual members of staff or contractors only when deemed necessary. |
| 4.10 | Landlords should keep residents regularly updated about the progress of the investigation. | Yes | <p>MDH issues a provisional outcome of investigations letter to the tenant prior to sending a final response to a complaint.</p> <p>The letter sets out the provisional findings of the investigation and what MDH are minded to say in response to the complaint raised.</p> <p>The letter also gives the tenant an opportunity to comment on the findings of the investigations before MDH sends the final response. MDH asks the tenant if we have missed anything, if they want us to look at something or provide additional information.</p> <p>MDH provides regular updates to the tenant about the progress of an investigation.</p> |
| 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 | Satisfaction surveys are sent to the tenant and feedback is logged. |
| 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 | Lessons learnt are shared with staff. |

| | | | |
|-------------|---|-----|--|
| 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 | MDH will complete a Public Sector Equity Duty form where applicable. |
|-------------|---|-----|--|

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 | All complaints will be acknowledged within 3 working days and resolved within 10 working days where possible (Stage 1). Information is available on the Council's webpage at https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/ Additional Information is available on the Housing webpage at: https://www.middevon.gov.uk/residents/housing/mid-devon-housing/ MDH acknowledgement letter provides details of when the tenant can expect a response to their complaint. |
| 5.5 | A complaint response must be sent to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident. | Yes | |

| | | | |
|-------------------|--|------------|---|
| <p>5.6</p> | <p>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.</p> | <p>Yes</p> | <p>As a matter of course, MDH issues a provisional outcome of investigations letter to the tenant prior to sending a final response to a complaint. The letter sets out the provisional findings of the investigation and what MDH are minded to say in response to the complaint raised.</p> <p>The letter also gives the tenant an opportunity to comment on the findings of the investigations before sending a final letter. It also gives the tenant an opportunity to raise any points that they feel have been missed, the outcome of investigations and any relevant policy or legislative requirements that have been taken into account when investigating the complaint.</p> |
| <p>5.8</p> | <p>Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language:</p> <ul style="list-style-type: none"> • the complaint stage • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions • details of how to escalate the matter to stage two if the resident is not satisfied with the answer | <p>Yes</p> | |

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 | <p>The MDDC Complaints and Feedback Policy states under section 9 – Unreasonable, unreasonably persistent and vexatious complaints.</p> <p>Mid Devon District Council's (MDDC) Complaints and Feedback policy as published on-line can be found at: https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</p> |
| 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 | MDH uses a standard template which highlights the tenant's complaint and how they would like to resolve the complaint. |
| 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 | |

| | | | |
|------|--|-----|--|
| 5.12 | The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one. | Yes | A senior manager not involved in the case will investigate any Stage 2 complaints. |
| 5.13 | 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. | Yes | |
| 5.16 | <p>Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:</p> <ul style="list-style-type: none"> • the complaint stage • the complaint definition • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions <p>and</p> <ul style="list-style-type: none"> • if the landlord has a third stage, details of how to escalate the matter to stage three if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied. | Yes | There is no third stage in our complaints procedure as per our policy and we give information at the end of every letter regarding the next stage of the complaint if the tenant remains dissatisfied. |

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 | N/A |

| | | | |
|------|--|-----|-----|
| 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 | N/A |
|------|--|-----|-----|

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 | MDH letter provides the tenant the opportunity to notify them if they don't agree with the revised deadline. |
| 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 | Where an agreement cannot be met between the landlord and tenant, details how to refer this to the HOS are contained in a letter. |
| 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 | All relevant information is taken into account during the investigation process. |
| 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 | Yes | Any new complaints will be dealt within the current Stage 1 complaint or a new Stage 1 complaint will be raised and the complaint treated separately. |

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 | MDH letter provides the tenant the opportunity to notify them if they don't agree with the revised deadline. |
| 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 | Where an agreement cannot be met between the landlord and tenant, details how to refer this to the HOS are contained in a letter. |

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 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. | N/A | 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 | 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 | <p>The Complaints and Feedback Policy under section 5, provides the aims and objectives when dealing with a complaint.</p> <p>Mid Devon District Council's (MDDC) Complaints and Feedback policy as published on-line can be found at: https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</p> |
| 6.2 | Any remedy offered must reflect the extent of any service failures and the level of detriment caused to the resident as a result. A landlord must carefully manage the expectations of residents and not promise anything that cannot be delivered or would cause unfairness to other residents. | Yes | |
| 6.5 | The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion. | Yes | |
| 6.6 | In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused. | Yes | <p>The Tenant Compensation Policy has been reviewed to take into account levels of compensation including statutory payments.</p> <p>The Tenant Compensation Policy is available to view on the Council's website. Please refer to Annex 1 under the Tenant Involvement and Empowerment Standard Policy. This can be found at: https://www.middevon.gov.uk/residents/housing/council-housing/strategies-and-policies/</p> |

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 | Recommendations will be highlighted in the lessons learnt of a complaint. |
| 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 | <p>MDH will seek legal advice where relevant.</p> <p>Details of statutory compensation is available to view within the Tenant Compensation Policy on the Council's website. Please refer to Annex 1 under the Tenant Involvement and Empowerment Standard Policy. This can be found at:</p> <p>https://www.middevon.gov.uk/residents/housing/council-housing/strategies-and-policies/</p> |

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 | <p>MDH publish a quarterly report with details the number of complaints received and the category of complaint for each quarter.</p> <p>A Complaints Handling Report will be presented annually commencing the financial year 2022-23 to Members.</p> <p>These reports are available online at: https://democracy.middevon.gov.uk/ieListMeetings.aspx?CIId=138&Year=0</p> <p>MDH publish relevant data on their housing webpages on a monthly basis. This can be found at: https://www.middevon.gov.uk/residents/housing/council-housing/our-performance/council-housing-performance/</p> <p>These documents are available to be viewed online by the general public, Members and staff.</p> <p>MDH offer of tenant involvement provides opportunities for tenants to become a Complaints Champion.</p> <p>Staff involved in a complaint are provided with a copy of the lessons learnt from the complaint to support service improvement.</p> |

Best practice 'should' requirements

| Code section | Code requirement | Comply: Yes/No | Evidence, commentary and any explanations |
|--------------|---|----------------|--|
| 7.3 | <p>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.</p> | Yes | <p>The Cabinet Member for Housing has been appointed to support a positive complaint handling culture.</p> |
| 7.4 | <p>As a minimum, governing bodies should receive:</p> <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 | |



| | | | |
|-----|--|-----|--|
| 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 | Regular meetings are held with the Management Team and the Cabinet Member for Housing. |
| 7.6 | <p>Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:</p> <ul style="list-style-type: none"> • have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments • take collective responsibility for any shortfalls identified through complaints rather than blaming others • act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing. | Yes | <p>MDH staff appraisals for 2022/23 will set objectives in relation to complaint handling.</p> <p>Wider briefing sessions on complaints handling will be available for staff in support services such as Customer First, Legal Services.</p> |

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 | Mid Devon Housing undertook a yearly self-assessment against the Code in April 2022. |
| 8.2 | Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures. | Yes | Mid Devon Housing has undergone a housing restructure in 2021. A self-assessment against the Code was undertaken in April 2022. |
| 8.3 | <p>Following each self-assessment, a landlord must:</p> <ul style="list-style-type: none"> • report the outcome of their self-assessment to their governing body. In the case of local authorities, self-assessment outcomes should be reported to elected members • publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents • include the self-assessment in their annual report section on complaints handling performance | Yes | <p>A Complaints Handling report is going to the Homes Policy Development Group on 31 May 2022.</p> <p>The report is: To provide an overview of Mid Devon Housing's plan to implement and promote a positive complaint handling culture and drive service improvement through lessons learned from complaints, to Members.</p> <p>To agree the publication of the review of compliance against the Housing Ombudsman's Complaints Handling Code</p> <p>The self-assessment form will be published on the Housing webpage once approved.</p> <p>The self-assessment form will be included in MDH's Annual Report.</p> |

Annex 2

Lessons Learned relating to Complaints 2021-22

| Background to service improvement | Lessons Learnt | Service improvement |
|--|---|--|
| 1. We had not acted in accordance with the Housing Services Anti-social behaviour Policy and Procedures. | Officers to ensure that they comply with policy and procedures. | Staff have since undergone training on how to use the anti-social behaviour reporting system and the processes to follow. |
| 2. To improve how we investigate a formal complaint in regards to noise complaints patterns and trends. | A scatter graph to be used to identify a pattern/trend of noise nuisance being reported. | Procedures are in the process of being implemented. |
| 3. Investigations into a complaint, led to other tenancy breaches identified. | Joined up working with staff from Repairs and Estates Neighbourhood Team to ensure that where a permission has been granted where Planning Permission or/and Building Regulations is required, this is followed up. | The Triage system on Orchard has been set up to prompt officers when a permission request is due to be reviewed. |
| 4. To improve the poor standard of cleanliness of a void property when ready to let. | The property should meet the void management standard. | The cleanliness of the property was discussed with the contractor. Due to ongoing issues, the cleaning contract has now been sub- contractor, therefore issues have been resolved. |
| 5. To improve written communications to address the wording in a letter a tenant had previously received in relation to an offer of a good will gesture. | The wording of the letter had already been identified as not seen as good practice, however the complaint re-enforced our decision to review the letter. | The letter has been amended accordingly. |
| 6. To improve the lack of responses to call back requests and emails. | Technical Support & Repairs Officers to implement a triage logging system. | A new triage system has been introduced which logs call back requests and correspondence, this enable MDH keep track of performance and identifies any service failures. |
| 7. To keep track of properties that have | The Finance & Performance team to | The Finance & Performance team now |

| Background to service improvement | Lessons Learnt | Service improvement |
|---|---|---|
| <p>been set up in cases where Use & Occupation Charges are to be collected and to allow for regular monitoring of such cases.</p> | <p>share monthly Use & Occupation reports with Neighbourhood Team Leaders.</p> | <p>share monthly Use & Occupation reports with Neighbourhood Team Leaders so they can address any long term Use & Occupation accounts and end the tenancies where applicable.</p> |
| <p>8. To ensure that the mutual exchange process is informed by data concerning aids and adaptations to make best use of housing stock.</p> | <p>Allocations & Voids Team to liaise with Repairs to check if any adaptations have been carried out property prior to making a decision relating to the mutual exchange request.</p> | <p>The Allocation & Voids Team have incorporated additional checks into their procedures to check for adaptations at the property to inform decision making relating to mutual exchanges.</p> |
| <p>9. To improve the complaints handling process and staff understanding of complaints.</p> | <p>Team Leaders/Managers to set up an appointment with Complaints Officer and new member of staff to shadow.</p> | <p>We have introduced a new staff induction programme on complaint handling. This explains to new members of staff how to report a complaint and the rationale behind complaint handling.</p> |
| <p>10. To improve relationships with a group of tenants impacted by delayed planned maintenance works.</p> | <p>Planned Maintenance to write to all tenants impacted by the delayed planned maintenance works to apologise for the delays and offer a good will gesture.</p> | <p>All tenants impacted by the delayed planned maintenance works were written to and an offer of a good will gesture made that acknowledged the distress and inconvenienced caused.</p> |
| <p>11. To improve tenant satisfaction, we have re-introduced satisfaction surveys following a closed complaint.</p> | <p>Complaints Officer to send out satisfaction surveys each month.</p> | <p>Complaints Officer sends out satisfactory survey's each month, which are followed up by the Tenant Involvement Team if no response received.</p> |
| <p>12. To acknowledge the impact of - service failure; - time and trouble; - distress and inconvenience caused to a tenant</p> | <p>Complaints Officer to be given authorisation to offer compensation and good will gestures up to the value of £250.00.</p> | <p>Complaints Officer offers redress when it is recognised that the tenant has been impacted by the outcome of a complaint.</p> |
| <p>Consideration was given</p> | | |

| Background to service improvement | Lessons Learnt | Service improvement |
|---|--|---|
| as to how this the complaint impacted on the tenant and their family. | | |
| 13. The Tenant Compensation Policy has been reviewed and updated. | The Policy Officer to review the policy taking into account the offer of good will gestures and compensation offers made by MDH. | The Tenant Compensation Policy has been reviewed and agreed. |
| 14. To reduced the number of disrepair cases being made. | MDH to encourage tenants to consider escalating their complaint using the internal complaints process before embarking on a disrepair claim. | All tenants are referred to the internal complaints process to encourage early resolution and avoid going down the route of disrepair. |
| 15. To encourage improved customer service with MDH | Technical Support & Repairs Officers to specialise in an area of Repairs to improve customer relationships. | The Technical Support & Repairs Officers now offer specialised knowledge and advice to tenants. |
| 16. To encourage active tenant involvement in complaints handling | Customer Engagement Officer to create a Complaints Champion role as part of MDH's offer to Tenant Involvement. | Tenants now have the opportunity to get involved as a Complaints Champion to shape the service of MDH |
| 17. To provide a consistent approach to complaint handling. | As part of the Housing Restructure, the service to introduce a Complaints Officer's role. | Complaints Officer now in post to deliver compliance with the HOS Complaints Handling Code. The Officer works in a support team and therefore is divorced from general case management decision-making, thereby ensuring that they can be more impartial. |
| 18. To Contribute to the corporate Complaints and Feedback Policy to improve complaint handling across all services | Housing staff to contribute to the review of the corporate Complaints and Feedback Policy. | The corporate Complaints and Feedback Policy reflects how MDH and the Council as a whole deal with complaints. |

Annex 3

(i) Performance relating to Complaints 2021-2022

| | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Total |
|---|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
| Stage One Complaints | | | | | | | | | | | | | |
| % Stage One Complaints Closed On-time | 100.0% | 100.0% | 100.0% | 100.0% | 93.3% | 100.0% | 90.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 98.8% |
| No. Stage One Complaints | 12 | 11 | 15 | 12 | 15 | 7 | 10 | 14 | 17 | 16 | 16 | 26 | 171 |
| No. Stage One Complaints Closed On-time | 12 | 11 | 15 | 12 | 14 | 7 | 9 | 14 | 17 | 16 | 16 | 26 | 169 |
| % Stage One Complaints Upheld | 66.7% | 72.7% | 46.7% | 58.3% | 40.0% | 85.7% | 50.0% | 35.7% | 70.6% | 43.8% | 6.3% | 46.2% | 49.1% |
| No. Stage One Complaints | 12 | 11 | 15 | 12 | 15 | 7 | 10 | 14 | 17 | 16 | 16 | 26 | 171 |
| No. Stage One Complaints Upheld | 8 | 8 | 7 | 7 | 6 | 6 | 5 | 5 | 12 | 7 | 1 | 12 | 84 |
| Stage Two Complaints | | | | | | | | | | | | | |
| % Stage Two Complaints Closed On-time | 0.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 0.0% | 60.0% | 100.0% | 100.0% | 100.0% | 92.6% |
| No. Stage Two Complaints | 0 | 2 | 1 | 2 | 2 | 2 | 1 | 0 | 5 | 2 | 5 | 5 | 27 |
| No. Stage Two Complaints Closed On-time | 0 | 2 | 1 | 2 | 2 | 2 | 1 | 0 | 3 | 2 | 5 | 5 | 25 |
| % Stage Two Complaints Upheld | 0.0% | 50.0% | 0.0% | 50.0% | 50.0% | 50.0% | 0.0% | 0.0% | 40.0% | 50.0% | 0.0% | 60.0% | 37.0% |
| No. Stage Two Complaints | 0 | 2 | 1 | 2 | 2 | 2 | 1 | 0 | 5 | 2 | 5 | 5 | 27 |
| No. Stage Two Complaints Closed On-time | 0 | 1 | 0 | 1 | 1 | 1 | 0 | 0 | 2 | 1 | 0 | 3 | 10 |

(i) Complaints closed by category 2021-22

| | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Total |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Complaint Types | | | | | | | | | | | | | |
| Total Complaints by Type | 12 | 11 | 15 | 12 | 15 | 7 | 10 | 14 | 17 | 16 | 16 | 26 | 171 |
| No. Allocations Complaints | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 2 |
| No. Anti-social Behaviour Complaints | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 1 | 0 | 7 |
| No. Estate Service Complaints | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 2 |
| No. Tenancy Management Complaints | 3 | 4 | 4 | 3 | 8 | 1 | 4 | 1 | 4 | 4 | 5 | 9 | 50 |
| No. Rents and Service Charges Complaints | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 2 | 0 | 1 | 2 | 8 |
| No. Repairs and Maintenance Complaints | 7 | 1 | 8 | 7 | 6 | 4 | 4 | 10 | 9 | 10 | 8 | 14 | 88 |
| No. Staff and Customer Services Complaints | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | 0 | 4 |
| No. Other Complaints | 1 | 3 | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 10 |

Annex 4 – Data provided by the Housing Ombudsman Service and available to view on their webpages:

Landlord Performance data 2020-21

Landlord Performance Data 2020-21

1.0 Number of Homes

Count of homes under the Housing Ombudsman Service's jurisdiction as of 31/03/2020

| | |
|----------------------|----------------------------|
| Landlord Name | Mid Devon District Council |
|----------------------|----------------------------|

Homes

3,114

2.0 Determinations by Outcome

Cases determined between 01/04/2020 - 31/03/2021 by overall determination

2.1 Individual Landlord

| | |
|----------------------|----------------------------|
| Landlord Name | Mid Devon District Council |
|----------------------|----------------------------|

| Overall Determination | Count | % |
|------------------------------|--------------|-------------|
| Maladministration | 1 | 20% |
| No Maladministration | 2 | 40% |
| Outside Jurisdiction | 2 | 40% |
| Grand Total | 5 | 100% |

2.0 Determinations by Outcome (continued)

Cases determined between 01/04/2020 - 31/03/2021 by overall determination

2.2 By Landlord Type

'Other' includes Co-operatives, For profit, Voluntary, Almshouse or Abbeyfield provider types

| Overall Determination | Housing Association | Local Authority | Other | Grand Total |
|---------------------------|---------------------|-----------------|-------------|-------------|
| Severe Maladministration | 0% | 0.1% | 0% | 0.05% |
| Maladministration | 25% | 26% | 36% | 25% |
| Partial Maladministration | 21% | 24% | 9% | 22% |
| Reasonable Redress | 15% | 7% | 0% | 12% |
| No Maladministration | 28% | 28% | 18% | 28% |
| Mediation | 3% | 2% | 0% | 2% |
| Outside Jurisdiction | 7% | 12% | 36% | 9% |
| Withdrawn | 1% | 1% | 0% | 1% |
| Grand Total | 100% | 100% | 100% | 100% |

2.3 By Landlord Size

| Overall Determination | Less than 1k units | Between 1k and 10k units | More than 10k units | Grand Total |
|---------------------------|--------------------|--------------------------|---------------------|-------------|
| Severe Maladministration | 0% | 0% | 0.1% | 0% |
| Maladministration | 25% | 22% | 26% | 25% |
| Partial Maladministration | 15% | 21% | 23% | 22% |
| Reasonable Redress | 9% | 12% | 13% | 12% |
| No Maladministration | 29% | 35% | 26% | 28% |
| Mediation | 2% | 2% | 3% | 2% |
| Outside Jurisdiction | 18% | 8% | 8% | 9% |
| Withdrawn | 2% | 1% | 1% | 1% |
| Grand Total | 100% | 100% | 100% | 100% |

3.0 Findings by Category

Findings on cases determined between 01/04/2020 - 31/03/2021 category and decision

Landlord Name Mid Devon District Council

| Category | Decision | | | Grand Total |
|---------------------------------------|------------------------|----------------------------------|---------------------------------|--------------------|
| | Service failure | No maladministra tion | Outside Jurisdiction | |
| Property Condition | 1 | 1 | 1 | 3 |
| Moving to a Property | | | 1 | 1 |
| Charges | | 1 | | 1 |
| Home Ownership Issues (not new build) | | 1 | | 1 |
| Grand Total | 1 | 3 | 2 | 6 |

4.0 Orders Made by Type

Orders on cases determined between 01/04/2020 - 31/03/2021 by order type

| | |
|----------------------|----------------------------|
| Landlord Name | Mid Devon District Council |
|----------------------|----------------------------|

| Order Type | Count |
|--------------------|--------------|
| Compensation | 1 |
| Grand Total | 1 |

5.0 Order Compliance Within 3 Months

Orders with compliance target dates between 01/04/2020 - 31/03/2021

5.1 Individual Landlord

Landlord Name Mid Devon District Council

| Time to comply | Count | % |
|-----------------------|--------------|-------------|
| Within three months | 1 | 100% |
| Grand Total | 1 | 100% |

5.2 By Landlord Type

'Other' includes Co-operatives, For profit, Voluntary, Almshouse or Abbeyfield provider types

| Time to comply | Housing Association | Local Authority | Other | Grand Total |
|------------------------|----------------------------|------------------------|--------------|--------------------|
| Within three months | 98% | 99% | 100% | 99% |
| More than three months | 2% | 1% | 0% | 1% |
| Grand Total | 100% | 100% | 100% | 100% |

5.3 By Landlord Size

| Time to comply | Less than 1k units | Between 1k and 10k units | More than 10k units | Grand Total |
|------------------------|---------------------------|---------------------------------|----------------------------|--------------------|
| Within three months | 99% | 99% | 98% | 99% |
| More than three months | 1% | 1% | 2% | 1% |
| Grand Total | 100% | 100% | 100% | 100% |

6.0 Order Compliance Within 6 Months

Orders with compliance target dates between 01/04/2020 - 31/03/2021

6.1 Individual Landlord

| | |
|----------------------|----------------------------|
| Landlord Name | Mid Devon District Council |
|----------------------|----------------------------|

| Time to Comply | Count | % |
|-----------------------|--------------|-------------|
| Within six months | 1 | 100% |
| Grand Total | 1 | 100% |

6.2 By Landlord Type

'Other' includes Co-operatives, For profit, Voluntary, Almshouse or Abbeyfield provider types

| Time to comply | Housing Association | Local Authority | Other | Grand Tota |
|-----------------------|----------------------------|------------------------|--------------|-------------------|
| Within six months | 100% | 99% | 100% | 100% |
| More than six months | 0% | 1% | 0% | 0% |
| Grand Total | 100% | 100% | 100% | 100% |

6.3 By Landlord Size

| Time to comply | Less than 1k units | Between 1k and 10k units | More than 10k units | Grand Total |
|-----------------------|---------------------------|---------------------------------|----------------------------|--------------------|
| Within six months | 100% | 100% | 100% | 100% |
| More than six months | 0% | 0.3% | 0.2% | 0.2% |
| Grand Total | 100% | 100% | 100% | 100% |

7.0 Compensation Ordered

Total amount of compensation ordered in determinations made between 01/04/2020 - 31/03/2021

| | |
|---------------|----------------------------|
| Landlord Name | Mid Devon District Council |
| Type | Order |

Total £0