

## **ANNEX C**

### **MDH self-assessment against the HOS Complaint Handling Code**

#### **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	<p>A complaint must be defined as:</p> <p><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></p>	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: <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</a></p> <p>MDH uses the Housing Ombudsman Service (HOS) definition of a complaint on their housing pages at: <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a></p>	<p>The corporate Complaints and Feedback Policy has been amended to take into account recommendations made by the HOS.</p>

1.3	<p>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.</p>	Yes	<p>MDH provides the resident the option to raise a formal complaint.</p> <p>All complaints will be dealt with in accordance with MDDC Complaints and Feedback Policy as published on-line can be found at:</p> <p><a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</a></p>	<p>Guidance will be provided to staff and Contractors working on MDH's behalf.</p>
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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 recorded, monitored and reviewed regularly.	Yes	<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>All service requests will be dealt with in accordance with MDDC Complaints and Feedback Policy as published on-line can be found at:  <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</a></p> <p>Examples of Service Requests are available on the housing webpage at:  <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a></p>	The corporate Complaints and Feedback Policy has been amended to take into account recommendations made by the HOS.
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	Yes	All complaints will be dealt with in accordance with MDDC Complaints and Feedback Policy as published on-line can be found at:	Guidance will be provided to staff and Contractors working on MDH's behalf.

	request remains ongoing. Landlords must not stop their efforts to address the service request if the resident complains.		<a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</a>  MDH have raised awareness amongst their staff that they must not stop their efforts to address a service request if the matter has been escalated to a formal complaint.	
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.	Yes	MDH send out a range of tenant satisfaction surveys. Each survey response provides clear information on how the person completing the survey can make or escalate their complaint.  In accordance with the Regulator of Social Housing requirements, MDH sends out a yearly survey to tenants to measure Tenant Satisfaction Measures (TSM's). This information is submitted yearly to the Regulator.	MDH are updating their surveys to reflect the HOS guidance

## 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	Yes	<p>All complaints will be dealt with in accordance with the Council's Complaints and Feedback Policy as published on-line can be found at:</p> <p><a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</a></p> <p>The MDDC Complaints and Feedback Policy states under section 10 – Unreasonable, unreasonably persistent and vexatious complaints.</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: <b>“The policy is intended to assist in managing people by categorising them within these terms and agreeing the actions to be taken”.</b></p> <p>It also states that: <b>“Officers and Members will endeavor 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.”</b></p> <p>The Complaints and Feedback Policy as published on-line can be found at:</p> <p><a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</a></p>	
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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> <li>• Matters that have previously been considered under the complaints policy.</li> </ul>	Yes	<p>All complaints will be dealt with in accordance with the Council's Complaints and Feedback Policy as published on-line can be found at:</p> <p><a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</a></p> <p>The MDDC Complaints and Feedback Policy states under section 10 – Unreasonable, unreasonably persistent and vexatious complaints.</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:  <b>“The policy is intended to assist in managing people by categorising them within these terms and agreeing the actions</b></p>	The corporate Complaints and Feedback Policy has been amended to take into account recommendations made by the HOS.
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			<p><b>to be taken”.</b></p> <p>It also states that:  <b>“Officers and Members will endeavor 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.”</b></p>	
2.3	<p>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.</p>	Yes	<p>MDH accepts 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.</p> <p>MDH will use their discretion to accept complaints made outside this time limit where they have good reason to do so. These examples include complaints in regards to health &amp; safety or safeguarding matters and/or conduct of staff matters.</p>	

2.4	<p>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.</p>	Yes	<p>Mid Devon Housing (MDH) uses a standard template letter which refers to the Complaints and Feedback Policy.</p>	
2.5	<p>Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.</p>	Yes	<p>MDH considers each complaint on its own merit. Where we have reason to not raise and accept a formal complaint, this will be in accordance with their Complaints and Feedback Policy.</p> <p>The Complaints and Feedback Policy as published on-line can be found at:  <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</a></p>	

### 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.	Yes	<p>The Complaints and Feedback Policy states under section 9 the following:</p> <p><b>9. Assistance for complainants</b> 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 Services 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 <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</a></p> <p>MDH launched in February 2024 guidance to staff in flagging accounts. This enables staff to discuss ways that tenant’s vulnerabilities can be mitigated and agree any reasonable adjustments that can be made to support them when accessing our services.</p>	Guidance will be provided to staff.

			<p>MDH will raise an UDC account flag on their housing management system that alerts staff that a reasonable adjustment has been agreed with the tenant. The tenant is written to and their record is clearly marked that this has been done.</p> <p>MDH have commenced a rolling 2 year programme of gathering information about their tenant's profile through their "Getting to know you project". This will enable us to tailor our services to meet the needs of individual tenants.</p> <p>MDH Vulnerability Policy under section 10.5 provides information about reasonable adjustments to our complaints process.</p> <p>The Vulnerability Policy as published on-line can be found at: <a href="http://MIDDEVON.GOV.UK">Strategies and policies - MIDDEVON.GOV.UK</a></p> <p>The new corporate complaints system asks the question to the complainant if they have any vulnerabilities that they wish to share with us. This enables to adapt our service accordingly.</p>	
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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.	Yes	<p>MDH offers a wide range of different ways to raise a complaint.</p> <p>Information is available on the Housing webpage at: <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a></p> <p>Additional information is available on the Council's webpages below:</p> <p>The Complaints and Feedback Policy states under section 9 the following:</p> <p><b>9. Assistance for complainants</b></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 <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</a></p>	<p>The corporate Complaints and Feedback Policy has been amended to take into account recommendations made by the HOS.</p> <p>Guidance will be provided to staff and Contractors working on MDH's behalf.</p>
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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.	Yes	MDH welcomes complaints as an opportunity to listen to residents' concerns and take appropriate action to improve services where failures have been identified.	
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.	Yes	<p>The Council's website is accessible. A copy of the Complaints and Feedback Policy is available online and in paper format if requested.</p> <p>Webpages include information about each stage of the complaints process.</p> <p>Information is available on the Council's webpage at <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</a></p> <p>Information is available on the Housing webpage at: <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a></p>	The corporate Complaints and Feedback Policy has been amended to take into account recommendations made by the HOS.

3.5	The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code	Yes	<p>A copy of the Complaints and Feedback Policy provides information about the Housing Ombudsman and how to contact them.</p> <p>MDH webpages include information about the Ombudsman, Complaint Handling Code and a copy of the self-assessment form.</p> <p>Information is available on the Housing webpage at: <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a></p>	The corporate Complaints and Feedback Policy has been amended to take into account recommendations made by the HOS.
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.	Yes	MDH will provide residents the opportunity to have a representative e.g Friend, family, advocate, councillor or MP to deal with their complaint on their behalf including attendance at meeting. MDH will sought authorisation from the complainant.	
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.		<p>Information is available on the Council's webpage at <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</a></p> <p>Information is available on the Housing webpage at: <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a></p> <p>Information about engaging with the Housing Ombudsman is included in complaint acknowledgements.</p>	

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## 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.	Yes	<p>MDH have a Complaints Officer in post. They are suitably qualified and meet the requirements of the job specification and description for the job role.</p> <p>Our records show that the volume of complaints has increased since the Complaints Officer post was created and therefore the resource to support this area of work is being reviewed with the aim of ensuring that all relevant timescales are met, in line with this Complaints Handling Code</p>	

4.2	<p>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.</p>	Yes	<p>The Complaints Officer has access to housing records, online filing systems, housing management system and staff at all levels. They have the authority and autonomy to resolve disputes promptly and fairly.</p>	
4.3	<p>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</p>	Yes	<p>As part of new staff inductions, they are given the opportunity to shadow the Complaints Officer to learn more about MDH's complaint handling.</p> <p>All staff are suitably trained in the importance of complaint handling.</p> <p>Our records show that the volume of complaints has increased since the Complaints Officer post was created and therefore the resource to support this area of work is being reviewed with the aim of ensuring that all relevant timescales are met, in line with this Complaints Handling Code</p>	

## 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.	Yes	<p>MDH deal with complaints in accordance with their corporate policy on complaint handling.</p> <p>The Complaints and Feedback Policy as published on-line can be found at:  <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/how-our-complaints-procedure-works/</a></p>	The corporate Complaints and Feedback Policy has been amended to take into account recommendations made by the HOS.
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.	Yes	MDH has a two stage approach before a complainant has exhausted the Council's internal complaints 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.	Yes	MDH only has two stages within their complaints process.	Guidance will be provided to staff and Contractors working on MDH's behalf.
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 expected to go through two complaints processes.	Yes	MDH only has two stages within their complaints process. Complaints made about contractors working on behalf of MDH will be expected to go through the Council's internal complaints process	Guidance will be provided to staff and Contractors working on MDH's behalf.
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	Yes	MDH only has two stages within their complaints process. Complaints made about contractors working on behalf of MDH will be expected to go through the Council's internal complaints process	Guidance will be provided to staff and Contractors working on MDH's behalf.
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	Yes	MDH uses a standard template which highlights the tenant's complaint and how they would like to resolve the complaint.	

	definition". If any aspect of the complaint is unclear, the resident must be asked for clarification.			
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 clarify any areas where this is not clear.	Yes	MDH uses a standard template which highlights the tenant's complaint and how they would like to resolve the complaint. Any complaints that do not come under MDH's remit, the complainant will be informed.	
5.8	At each stage of the complaints process, complaint handlers must: <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>	Yes	MDH will investigate complaints in a fair and reasonable manner.	
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.	Yes	MDH standard letters explains that should there be a delay in responding to their complaint, they will keep the complainant updated.	

			Information is also provided with standard letters about the Housing Ombudsman Service, should they wish to raise any matters with them direct.	
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.	Yes	<p>The Complaints and Feedback Policy states under section 9 the following:</p> <p><b>9. Assistance for complainants</b> 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 Services 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>	Guidance will be provided to staff.

			<p>Information about the complaints procedure can be provided in an alternative format on request. Information is available on the Council's webpage at <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</a></p> <p>MDH launched in February 2024 guidance to staff in flagging accounts. This enables staff to discuss ways that tenant's vulnerabilities can be mitigated and agree any reasonable adjustments that can be made to support them when accessing our services.</p> <p>MDH will raise an UDC account flag on their housing management system that alerts staff that a reasonable adjustment has been agreed with the tenant. The tenant is written to and their record is clearly marked that this has been done. This will be reviewed.</p> <p>MDH have commenced a rolling 2 year programme of gathering information about their tenant's</p>	
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			<p>profile through their “Getting to know you project”. This will enable us to tailor our services to meet the needs of individual tenants.</p> <p>MDH Vulnerability Policy under section 10.5 provides information about reasonable adjustments to our complaints process. The Vulnerability Policy as published on-line can be found at: <a href="#">Strategies and policies - MIDDEVON.GOV.UK</a></p> <p>The new corporate complaints system asks the question to the complainant if they have any vulnerabilities that they wish to share with us. This enables to adapt our service accordingly.</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.	Yes	<p>Complaint investigations will be dealt with in accordance with the Council’s Complaints and Feedback Policy.</p> <p>The Complaints and Feedback Policy as published on-line can be found at: <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-</a></p>	



			<a href="#">complaints/how-our-complaints-procedure-works/</a>	
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.	Yes	MDH have secure files in an electronic document management system where this data is stored.	Guidance will be provided to staff.
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.	Yes	MDH have in place remedies to resolve a complaint at any stage of the complaints process.  MDH's Compensation Policy explains the different remedies available to resolve a complaint.  A copy of MDH's Compensation Policy is available online at: <a href="#">Strategies and policies - MIDDEVON.GOV.UK</a>	
5.14	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence	Yes	The MDDC Complaints and Feedback Policy states under sections 10 and 11 how to deal with unreasonable, unreasonably persistent and vexatious	

	reasons for putting any restrictions in place and must keep restrictions under regular review.		complaints.  Information is available on the Council's webpage at <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</a>	
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.	Yes	The MDDC Complaints and Feedback Policy states under sections 10 and 11 how to deal with unreasonable, unreasonably persistent and vexatious complaints.  Information is available on the Council's webpage at <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</a>  MDH will comply with the Public Sector Equality Duty when placing any restrictions on contact due to unacceptable behaviour.	

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## Section 6: Complaint 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.	Yes	<p>Complaints will be dealt with in accordance with the requirements of the Housing Ombudsman Complaint Handling Code.</p> <p>Complaints will also be dealt with in accordance with MDH's policies and procedures. Copies of all MDH's policies is available online at: <a href="#">Strategies and policies - MIDDEVON.GOV.UK</a></p> <p>MDH's housing management systems are checked prior to complaint investigations to identify any tenant's vulnerabilities and to check if any reasonable adjustments need to be made to enable the tenant to access MDH's services.</p>	
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>	Yes	<p>All complaints will be acknowledged within 5 working days and resolved within 10 working days where possible (Stage 1).</p> <p>Information is available on the Council's webpage at <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</a></p>	The corporate Complaints and Feedback Policy has been amended to take into account recommendations made by the HOS.

			<p>Additional Information is available on the Housing webpage at:  <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a></p> <p>MDH acknowledgement letter provides details of when the tenant can expect a response to their complaint.</p>	
6.3	<p>Landlords must issue a full response to stage 1 complaints <b><u>within 10 working days</u></b> of the complaint being acknowledged.</p>	Yes	<p>All complaints will be responded within 10 working days except where there is a good reason to extend the deadline.</p> <p>Information is available on the Council's webpage at  <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</a></p> <p>Additional Information is available on the Housing webpage at:  <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a></p>	<p>Guidance will be provided to staff and Contractors working on MDH's behalf.</p>
6.4	<p>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</p>	Yes	<p>MDH will only extend complaint deadlines where it is deemed necessary. The complainant will be kept informed via letter or email advising of the delay and will be provided with a new deadline date when a response can be expected.</p>	<p>Guidance will be provided to staff and Contractors working on MDH's behalf.</p>

	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.			
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.	Yes	MDH extension letter/email provides details of how to contact the Housing Ombudsman Service.	
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.	Yes	Once a stage 1 or stage 2 response has been provided. Where lessons learnt and follow up actions are arising from the complaint. These are passed to the relevant Team/member of staff to follow up and keep the complainant updated. They are expected to provide an update to the Complaints Officer when the lessons learnt have been actioned by a set timeline.	Guidance will be provided to staff.
6.7	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing	Yes	MDH refer residents to the relevant policy, procedure, legislative requirements, statutory obligations and good practice where appropriate to do so.	

	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.	Yes	MDH will incorporate any new complaints within the original complaint where it deems appropriate to do so. Where this is not the case, a new complaint will be raised and responded to in accordance with their Complaints and Feedback Policy.	
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> </ul>	Yes	The relevant information is provided in the Stage 1 response letter.	

	<p>c. the decision on the complaint;</p> <p>d. the reasons for any decisions made;</p> <p>e. the details of any remedy offered to put things right;</p> <p>f. details of any outstanding actions;</p> <p>and</p> <p>g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.</p>			
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## 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.	Yes	MDH only has two stages within their complaints process.	Guidance will be provided to staff and Contractors working on MDH's behalf.
6.11	Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure	Yes	All complaints will be acknowledged within 5 working days and resolved within 10 working days where possible (Stage 1).	The corporate Complaints and Feedback Policy has been amended to take

	within five working days of the escalation request being received.		<p>Information is available on the Council's webpage at <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</a></p> <p>Additional Information is available on the Housing webpage at: <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a></p> <p>MDH acknowledgement letter provides details of when the tenant can expect a response to their complaint.</p>	<p>into account recommendations made by the HOS.</p> <p>Guidance will be provided to staff and Contractors working on MDH's behalf.</p>
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.	Yes	At MDH's stage 1 response letter, the complainant is asked to provide an explanation why they remain dissatisfied with the outcome of their complaint. However, they are not obliged to provide this information. This information is to help to understand why the complainant remains dissatisfied. MDH will make reasonable efforts to understand why the complainant remains dissatisfied.	
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.	Yes	Any complaints escalated to stage 2 will be investigated by a member of staff not involved in the original stage 1 complaint investigations.	



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.	Yes	<p>All complaints will be responded within 10 working days except where there is a good reason to extend the deadline.</p> <p>Information is available on the Council's webpage at <a href="https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/">https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/</a></p> <p>Additional Information is available on the Housing webpage at: <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a></p>	Guidance will be provided to staff and Contractors working on MDH's behalf.
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform	Yes	MDH will only extend complaint deadlines where it is deemed necessary. The complainant will be kept informed via letter or email advising of the delay and will be provided with a new deadline date when a response can be expected.	Guidance will be provided to staff and Contractors working on MDH's behalf.

	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.			
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.	Yes	MDH extension letter/email provides details of how to contact the Housing Ombudsman Service	
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.	Yes	Once a stage 1 or stage 2 response has been provided. Where lessons learnt and follow up actions are arising from the complaint. These are passed to the relevant Team/member of staff to follow up and keep the complainant updated. They are expected to provide an update to the Complaints Officer when the lessons learnt have been actioned by a set timeline.	Guidance will be provided to staff.
6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for	Yes	MDH refer to tenants to the relevant policy, procedure, legislative requirements, statutory obligations and good practice where appropriate to do so.	

	any decisions, referencing the relevant policy, law and good practice where appropriate.			
6.19	<p>Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language:</p> <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 the Ombudsman Service if the individual remains dissatisfied.</li> </ul>	Yes	The relevant information is provided in the Stage 2 response letter.	

6.20	Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.	Yes	Any complaints escalated to stage 2 will be investigated by a member of staff not involved in the original stage 1 complaint investigations.	
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### Section 7: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
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> </ul>	Yes	The relevant information is provided in the Stage 1 or 2 response letter.	

	<ul style="list-style-type: none"> <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.	Yes	Any remedy offered is in accordance with the Tenant Compensation Policy. This policy is available to view on the Council's website. Please refer to Appendix 1 under the Tenant Involvement and Empowerment Standard Policy. This can be found at: <a href="https://www.middevon.gov.uk/residents/housing/council-housing/strategies-and-policies/">https://www.middevon.gov.uk/residents/housing/council-housing/strategies-and-policies/</a>	
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.	Yes	MDH provides clear information to the complainant about the remedy made and by when where applicable.	

7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.	Yes	MDH take into account good practice and guidance provided by the Housing Ombudsman Service when setting out a remedy.	
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## Section 8: Putting things right Section

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</li> </ul>	Yes	<p>A Complaints Handling report is produced yearly to the Homes Policy Development Group.</p> <p>A copy of this report and supporting documents will be available on our housing webpages at: <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a></p>	

	performance from the Ombudsman; and f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.			
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.	Yes	A Complaints Handling report is produced yearly to the Homes Policy Development Group.  A copy of this report and supporting documents will be available on our housing webpages at: <a href="https://www.middevon.gov.uk/residents/housing/mid-devon-housing/">https://www.middevon.gov.uk/residents/housing/mid-devon-housing/</a>	
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Yes	Mid Devon Housing underwent a housing restructure in 2021. A self-assessment against the Code was undertaken in April 2022.	
8.4	Landlords may be asked to review and update the self-	Yes	MDH will comply with any requirements made by the Housing Ombudsman Service following investigations	



	assessment following an Ombudsman investigation.			
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.	Yes	In the event that MDH is not able to comply with the Code due to exceptional circumstances they will comply with the requirements stipulated by the Housing Ombudsman Service.	

## 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.	Yes	MDH see complaint handling as an opportunity to learn from mistakes and implement service improvement as a result of any failure.  Recommendations will be highlighted in the lessons learnt of a complaint	
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.	Yes	MDH see complaint handling as an opportunity to learn from mistakes and implement service improvement as a result of any failure.	
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.	Yes	A Complaints Handling report is produced yearly to the Homes Policy Development Group. This report includes examples of lessons learnt from complaint handling.  MDH use their social media pages to promote lessons learnt where we have made improvements following a	

			complaint.	
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, serious risks, or policies and procedures that require revision.	Yes	Monthly Meetings take place to discuss complaint handling between senior staff, managers and Complaints staff. This includes looking at data as outlined under 9.4.	
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').	Yes	MDH Cabinet holder for Housing is appointed and referred to as the Member Responsible for Complaints.	
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.	Yes	MDH Cabinet holder for Housing is appointed and referred to as the Member Responsible for Complaints.  A Complaints Handling report is produced yearly to the Homes Policy Development Group. This report includes examples of lessons learnt from complaint handling.	

9.7	<p>As a minimum, the MRC and the governing body (or equivalent) must receive:</p> <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 orders related to severe maladministration findings; and</li> <li>d. annual complaints performance and service improvement report.</li> </ul>	Yes	<p>MDH Cabinet holder for Housing is appointed and referred to as the Member Responsible for Complaints.</p> <p>A Complaints Handling report is produced yearly to the Homes Policy Development Group. This report includes examples of lessons learnt from complaint handling</p> <p>Monthly Meetings take place to discuss complaint handling between managers and Complaints staff. This includes looking at data as outlined under 9.4. This information is shared with MDH's Cabinet holder for Housing.</p>	
9.8	<p>Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:</p> <ul style="list-style-type: none"> <li>a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;</li> </ul>	Yes	<p>MDH includes standard objectives in their service business plan and employee objectives</p>	

	<p>b. take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and</p> <p>c. act within the professional standards for engaging with complaints as set by any relevant professional body.</p>			
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