

HOUSING OMBUDSMAN COMPLAINT-HANDLING CODE: SELF-ASSESSMENT



In July 2020, the Housing Ombudsman Service published a new Complaint Handling Code, setting out good practice that will allow landlords to respond to complaints effectively and fairly. Key areas in the Code include a universal definition of a complaint, providing easy access to the complaints procedure and ensuring residents are aware of it (including their right to access the Housing Ombudsman Service, the structure of the complaints process, fairness and a resident-focused process, taking action to put things right and appropriate remedies, and creating a positive complaint handling culture through continuous learning and improvement.

The Housing Ombudsman Service asked landlords to self-assess their approach against the Code by 31 December 2020 and publish the results. Barnet Homes finds that it is largely compliant with the Code, and has adapted the self-assessment template to provide additional commentary against all of the areas being assessed and state where any improvements will be made, in order to be open and transparent about its approach and provide clear information to its Board and interested parties. This self-assessment was reviewed by the Barnet Homes Board on 9 December 2020.

1	Definition of a complaint				Comments
		Yes	No		
1.1	<p>Does the complaints process use the following definition of a complaint?</p> <p><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></p>	✓		<p>Barnet Homes recognised the benefits of adopting a universal complaint definition to ensure consistency of understanding and approach across the sector, and 5.1.1 of the Complaints and Compliments Policy has been updated in September 2020 to reflect the HOS definition whilst retaining some elements of Barnet Homes' original definition, which was complementary to that of the HOS:</p> <p><i>5.1.1. The Barnet Group defines a complaint as being an expression of dissatisfaction or concern, however made, about the standard and/or delivery of services we have provided, or actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual customer or group of customers, whether justified or not. The dissatisfaction can be with service failures including, but not limited to:</i></p> <ul style="list-style-type: none"> • <i>the quality of the service offered or work carried out;</i> • <i>the action or lack of action taken by staff;</i> • <i>the attitude or behaviour of staff;</i> • <i>missed appointments;</i> • <i>a failure to comply with policy, procedure, or standards of service delivery; or</i> • <i>cost.</i> <p>The differences between the two definitions are minor, with some additional information included in Barnet Homes' definition to reflect the Group nature of the policy and provide examples to assist customers in line with the feedback from residents when the policy was previously reviewed in late 2019. Barnet Homes' definition does not restrict access or exclude complaints without good reason.</p>	

		Yes	No	Comments
1.2	Does the policy have exclusions where a complaint will not be considered?	✓		<p>There are several clauses related to exclusions in the Complaints and Compliments Policy:</p> <p><i>5.1.3.1 If the issue is not a complaint within the definition of this policy, we will deal with it through the relevant alternative procedure. This includes:</i></p> <ul style="list-style-type: none"> • <i>a first request for service (such as a repair), information, or an explanation of our policies and procedures;</i> • <i>neighbour disputes or anti-social behaviour, unless the complaint refers to our failure to deal with the disagreement appropriately;</i> • <i>issues regarding hate crime or domestic violence;</i> • <i>a claim being dealt with by our insurers;</i> • <i>issues where the customer or The Barnet Group has commenced legal action;</i> • <i>a dispute about the amount of rent or service charge being charged;</i> • <i>appeals against policy decisions or services where there is another appeal process, e.g. insurance, disrepair protocol, or housing applications; and</i> • <i>services for which there are alternative statutory appeal or tribunal processes, including appeals against statutory Notices.</i> <p><i>5.1.3.2 Making a complaint may not be the best route for resolving some issues; this might be because the issue is outside of our control or because there is another appeal process, although you may complain about this if we fail to manage this effectively. Examples of matters that may be outside our control include or otherwise exempt from this policy include:</i></p> <ul style="list-style-type: none"> • <i>complaints submitted twelve months or more after the issue occurred and being brought to The Barnet Group's attention for the first time. Exceptions may be made at the discretion of the manager responsible for the service;</i> • <i>services for which The Barnet Group is not responsible (e.g. Council-provided services);</i> • <i>matters of law or central government policy;</i> • <i>where the complainant is an employee of The Barnet Group (unless they occupy a property owned or managed by The Barnet Group and the complaint relates to issues around their tenancy);</i> • <i>complaints from employees about personnel matters, including appointments, dismissal, pay, pensions, and disciplinary; and</i> • <i>complaints that have already been decided by a court or independent tribunal.</i> <p><i>5.5.1 We encourage customers to contact us as soon as possible after an incident has occurred as it makes it easier for us to investigate. We will not usually accept a complaint about something that happened over 12 months ago, or escalate a complaint to Stage 2 if more than six months have passed since our last response.</i></p>

				<p>5.5.2 Each case will be decided on its own merits and discretion may be exercised. For example, if it is a serious matter, such as health and safety or safeguarding that someone has just found out they are affected by, or if illness or personal circumstances have prevented the complaint being reported to us, we may still investigate it.</p> <p>5.7.1 In exceptional circumstances The Barnet Group may refuse to deal with a complaint completely. Such circumstances may include:</p> <ul style="list-style-type: none"> • if a complaint is about the same matter that has already been considered with only very minor difference and has exhausted the complaints process; in this instance, The Barnet Group will advise that the matter is closed. The complainant has the right to seek redress from external parties (Designated Persons, Housing Ombudsman Service or Local Government and Social Care Ombudsman, and where appropriate the CQC or local / health authorities); or • where a complaint is persistent, vexatious or unreasonable (see section 5.8).
		Yes	No	Comments
1.3	<p>Are these exclusions reasonable and fair to residents?</p> <p>Evidence relied upon</p>	✓		<p>We believe the exclusions to be reasonable and fair. The HOS Complaint-Handling Code refers to two examples of exclusions that would be considered fair and reasonable, and Barnet Homes' exclusions are in line with these:</p> <p><i>1.5. A complaints policy shall clearly set out the circumstances in which a matter will not be considered and these circumstances should be fair and reasonable to residents. For example:</i></p> <ul style="list-style-type: none"> • <i>The issue giving rise to the complaint occurred over six months ago. 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. (N.B. it may not be appropriate to rely on this exclusion where complaints concern safeguarding or health and safety issues.)</i> • <i>Legal proceedings have been started. Landlords should take steps to ensure that residents are not left without a response for lengthy periods of time, for example, where a letter before action has been received or issued but no court proceedings are started or settlement agreement reached.</i> • <i>Matters that have already been considered under the complaints policy.</i> <p>The Housing Ombudsman also states that “a resident has the right to challenge this decision by bringing their complaint to the Ombudsman,” and this right is stated within Barnet Homes' policy. Decisions about accepting complaints are made by the central Complaints and Information team.</p>

				<p>The HOS also published FAQs on the Code in September 2020, which state the following and support Barnet Homes' approach:</p> <p>One of the aims of the Code is to promote access to the complaints procedure. To this end, the Code requires landlords to be clear about the circumstances in which complaints (or parts of a complaint) will not be accepted. This is for a landlord to decide and most landlords have this information detailed in their existing policies already, with common examples being:</p> <ul style="list-style-type: none"> - The issue is, or has been, subject to legal proceedings - Liability issue that is subject to an insurance claim (although any other elements of the complaint should still be considered through the complaints procedure). - The complaint has not been raised within a reasonable time frame - The complaint has been considered already - The complaint is being pursued in an unreasonable manner <p>Any exclusions should be kept to a minimum and should be clearly identified and explained in the complaints policy.</p>
2	Accessibility			
		Yes	No	Comments
2.1	Are multiple accessibility routes available for residents to make a complaint?	✓		<p>5.2.2 of the Complaints and Compliments Policy sets out the ways customers can make complaints:</p> <p><i>Complaints or expressions of dissatisfaction can be received in a number of ways:</i></p> <ul style="list-style-type: none"> • <i>by email;</i> • <i>through our website;</i> • <i>by letter;</i> • <i>by telephone;</i> • <i>in person (e.g. at reception, during a home visit, or at the place people are supported);</i> • <i>via a third party (with permission, including advocates); or</i> • <i>at the request of a Councillor or MP.</i> <p><i>Should we receive a complaint or an expression of dissatisfaction through social media, to maintain confidentiality and privacy we will ask the individual to contact us with more detail by direct message or through the options above so that we can investigate the matter.</i></p> <p>These options are in line with the good practice guidance shared by the HOS. The policy also provides additional information about complaints from third parties / advocates, and about the support that can be provided to customers to help them make a complaint, including from third party organisations – this is also provided on the Barnet Homes website: www.barnethomes.org/complaints</p>

		Yes	No	Comments
2.2	Is the complaints policy and procedure available online?	✓		The policy is available on the Barnet Homes website for customers. The complaints webpage also includes a summary of the process for ease of access, along with a leaflet that explains the complaints process and an Easy Read document.
2.3	Do we have a reasonable adjustments policy?	✓		<p>A Reasonable Adjustments to Services policy is in place to complement the overarching Equality, Diversity, and Inclusion Policy. Supplementary guidance on making reasonable adjustments to services is also available to staff on the intranet.</p> <p>The Complaints and Compliments Policy also refers to reasonable adjustments:</p> <p><i>5.2.5 We will support customers who require assistance to make a complaint, and will make reasonable adjustments where practicable, in line with our Reasonable Adjustments to Services Policy; this may include customers whose first language is not English, or customers with a learning or physical disability such as a visual impairment. Customers may also be signposted to external agencies for independent support or advocacy where appropriate. Information about support available can also be found on our website: www.barnethomes.org/complaints.</i></p>
2.4	Do we regularly advise residents about our complaints process?	✓		The Complaints and Compliments Policy and Barnet Homes' approach to complaints-handling are publicised in the Complaints leaflet, regularly in the newsletter At Home (provided to residents on a quarterly basis), and as part of regular correspondence with residents. This is in line with the recommendations of the HOS in its Complaints-Handling Code.
3	Complaints team and process			
		Yes	No	Comments
3.1	Is there a complaint officer or equivalent in post?	✓		Barnet Homes has a central independent team that coordinates the overall complaints process, with complaints handlers in each service with designated responsibilities to investigate and respond to complaints.
3.2	Does the complaint officer have autonomy to resolve complaints?	✓		Both the central team and service-level complaints handlers have autonomy to resolve complaints.
3.3	Does the complaint officer have authority to compel engagement from other departments to resolve disputes?	✓		This is a key role of the central complaints team, which takes an impartial approach and advocates on behalf of customers to help ensure the complaints-handling process is followed, resolve disputes, and represent the interests of both customers and Barnet Homes.
3.4	If there is a third stage to the complaints procedure are residents involved in the decision making?			n/a – Barnet Homes operates two complaints stages.

		Yes	No	Comments
3.5	Is any third stage optional for residents?			n/a – Barnet Homes operates two complaints stages.
3.6	Does the final stage response set out residents' right to refer the matter to the Housing Ombudsman Service?	✓		Barnet Homes provides for its complaints handlers standard escalation straplines for inclusion in Stage 1 and Stage 2 complaints response letters. At Stage 2, the final stage, these include information about the right to refer the matter to the Housing Ombudsman Service or the Local Government and Social Care Ombudsman, as appropriate to the nature of the complaint. A requirement to provide this information is included in the internal supporting Complaints Procedure for staff. The inclusion of this information is also checked as part of Barnet Homes' quality assurance process for complaints-handling. Information about the right to refer the matter to the HOS and the LGSCO, as appropriate, is also provided for residents in the Complaints and Compliments Policy, the supporting leaflet, the Easy Read document, and on the Barnet Homes website's complaints page.
3.7	Do we keep a record of complaint correspondence including correspondence from the resident?	✓		Records of correspondence are kept within Barnet Homes' Electronic Document Management System and linked to the complaint. The Complaints and Information team undertakes quality assurance checks of 10% of complaints each month, which includes checks of the information that has been recorded in the case file, and provides recommendations for improvement to services.
3.8	At what stage are most complaints resolved?			Most complaints are resolved at Stage 1 of Barnet Homes' process. In 2019/20, 95.6% of complaints were resolved at Stage 1. In 2020/21 to date, 91% of complaints have been resolved at Stage 1.
4	Communication			
		Yes	No	Comments
4.1	Are residents kept informed and updated during the complaints process?	✓		<p>Barnet Homes' Complaints Procedure sets an expectation that complaints handlers will contact complainants as required, and keep them updated on key matters as appropriate prior to the full response being provided:</p> <p><i>1.7 Where it is necessary, for example where a complaint is complex and/or involves potentially subjective information or where the service area's complaints handler needs more information to clarify their understanding of the complaint, the complaints handler will make telephone contact with the complainant to discuss the complaint in more detail and confirm expected outcomes.</i></p> <p><i>1.9 The complaints handler should ensure that the complainant is kept up to date and informed about the progress of their complaint where it is necessary to do so, including where there is no new information to provide. This is particularly important where responses to complaints are delayed for any reason.</i></p> <p>Complainants are also provided with the name and contact details of the officer who will be investigating and responding to their complaint, so that they can contact them if necessary.</p>

		Yes	No	Comments
4.2	Are residents informed of the landlord's position and given a chance to respond and challenge any area of dispute before the final decision?	✓		<p>Barnet Homes sought clarification from the HOS regarding this requirement, and received confirmation that this part of the Code emphasises the importance of having a resident-focused approach which includes making sure residents have been given the opportunity to put forward their side of the argument and submit any evidence to support their case before a decision is reached, and that there is no requirement to ask residents to comment on the proposed decision before it is sent to them.</p> <p>Barnet Homes' internal Complaints Procedure, which supports the Complaints and Compliments Policy, encourages complaints handlers to discuss the complaint with the complainant:</p> <p><i>1.7 Where it is necessary, for example where a complaint is complex and/or involves potentially subjective information or where the service area's complaints handler needs more information to clarify their understanding of the complaint, the complaints handler will make telephone contact with the complainant to discuss the complaint in more detail and confirm expected outcomes.</i></p> <p>Engagement with complainants continues after the formal response is sent where complainants remain dissatisfied, with informal discussions usually taking place to put things right in order to resolve issues quickly and avoid the need to escalate. This may include, for example, discussions about any remedy being offered.</p>
4.3	Are all complaints acknowledged and logged within five days?	✓		<p>All Barnet Homes complaints in 2019/20 and in 2020/21 to date were acknowledged and logged within five days.</p> <p>It is noted that Barnet Homes works to its own shorter target of acknowledging and logging complaints within two working days. Against this internal target, in 2019/20, 99.2% of Stage 1 complaints and 100% of Stage 2 complaints were logged within two working days, and in 2020/21 to date, 99.7% of Stage 1 complaints and 100% of Stage 2 complaints have been logged within two working days. In number terms, this was 10 Stage 1s in 2019/20 and 1 in 2020/21. Where complaints have been acknowledged outside the internal target time, this is generally due to delays in complaints being initially logged at the first point of contact, for example periods of high demand on the main customer contact email.</p>
4.4	Are residents advised of how to escalate at the end of each stage?	✓		<p>Barnet Homes provides standard escalation straplines for inclusion in Stage 1 and Stage 2 complaints response letters. At Stage 1, these include information about how to escalate the complaint if the resident remains unhappy. A requirement to provide this information is included in the internal supporting Complaints Procedure for staff. The inclusion of this information is also checked as part of Barnet Homes' quality assurance process for complaints-handling. Information about escalating complaints is also provided for residents in the Complaints and Compliments Policy, the supporting leaflet, the Easy Read document, and on the Barnet Homes website's complaints page.</p>

		Yes	No	Comments
4.5	What proportion of complaints are resolved at stage one?			In 2019/20, 95.6% of complaints were resolved at Stage 1. In 2020/21 to date, 91% of complaints have been resolved at Stage 1.
4.6	What proportion of complaints are resolved at stage two?			In 2019/20, 4.4% of complaints were resolved at Stage 2. In 2020/21 to date, 9% of complaints have been resolved at Stage 2.
4.7	<p>What proportion of complaint responses are sent within Code timescales?</p> <ul style="list-style-type: none"> • Stage one Stage one (with extension) • Stage two Stage two (with extension) 			<p>In 2019/20, performance-in-time at Stage 1 was 94.9% against Barnet Homes' target of 90%. In the same year, 80.1% of Stage 2 complaints were closed within target timescales, against a target of 90%.</p> <p>In 2020/21 to date, Barnet Homes has closed 98.8% of Stage 1 complaints within its target timescales, and 97.1% of Stage 2 complaints.</p> <p>The HOS Complaint-Handling Code sets the following maximum timescales for landlords' complaints procedures; Barnet Homes' policy timescales are included in brackets in italics.</p> <ul style="list-style-type: none"> • Logging and acknowledgement of complaint – five working days (<i>two working days</i>) • Stage one decision – 10 working days from receipt of complaint – if this is not possible, an explanation and a date by when the stage one response should be received. This should not exceed a further 10 days without good reason (<i>10 working days from receipt of complaint, with up to an additional 10 working days where necessary</i>) • Stage two response – 20 working days from request to escalate – if this is not possible an explanation and a date when the stage two response will be received. This should not exceed a further 10 working days without good reason (<i>10 working days from request to escalate, with up to an additional 10 working days where necessary</i>) <p>Barnet Homes has chosen not to adjust its timescales to meet exactly those of the HOS Code, as the process in place is working effectively for Barnet Homes.</p> <p>Barnet Homes' Stage 2 targets of responses within ten working days are less generous than the HOS-recommended timescales of 20 days. When reviewing performance, we see that in 2019/20, 96.5% of Stage 2 complaints were closed within the HOS Code timescales, and in 2020/21, 97.1% of Stage 2 complaints were closed within the HOS Code timescales.</p> <p>Extensions to complaints timescales are rarely agreed; Barnet Homes does not currently have a robust way to report on any extensions that are applied; however quality assurance checks that have been completed indicate that extensions where agreed have been met. Improved reporting on this is currently in development.</p>

		Yes	No	Comments
4.8	Where timescales have been extended did we have good reason?	✓		Extensions to timescales are very rarely agreed. On the occasions where these have been agreed, this has been due to the handling of a complaint being escalated to a senior manager who was due to take annual leave and agreed the delay with the customer on this basis, or the complexity of the complaint or challenges with seeking all of the required information in the investigation (for example, regarding complaints about third party contractors) and the intention of complaints handlers to ensure fair outcomes and that a comprehensive response is provided to the customer.
4.9	Where timescales have been extended did we keep the resident informed?	✓		<p>Barnet Homes' Complaints Procedure includes the following:</p> <p><i>1.8 If the complaints handler believes it will not be possible to provide a response within the standard 10 working days due to the complexity of the issue, they should discuss this with the Complaints and Information team. In exceptional cases with the Complaints and Information team's agreement, the complaints handler will send a written holding response as soon as possible to the complainant explaining why and advising by when they will receive a response. This extension should result in a response being provided no longer than 20 working days from the date the complaint was received.</i></p> <p><i>Acceptable reasons for extending a complaint may include:</i></p> <ul style="list-style-type: none"> • <i>a delay by a third party, over which Barnet Homes / Opendoor Homes has no control, in providing information;</i> • <i>requiring further time to undertake interviews; or</i> • <i>needing longer to acquire all the information required from multiple sources to enable Barnet Homes / Opendoor Homes to properly investigate a long-standing, complex case.</i>
4.10	What proportion of complaints do we resolve to residents' satisfaction			<p>Barnet Homes has a fairly low escalation rate, which, coupled with the high proportion of complaints that are upheld (i.e. findings are in the customer's favour), might broadly suggest that residents are largely satisfied with the resolution of complaints. Response rates are very low (6 in 2019/20 and 12 to date in 2020/21), and therefore the results are not representative – increased engagement here is a priority for Barnet Homes, and this is being explored. Routine and ad-hoc targeted briefings will continue to be undertaken with complaints handlers, along with briefings on the HOS Code. We can see from the qualitative comments provided that the majority of those responding felt their complaint had not been resolved or Barnet Homes had not yet completed the actions to which it had committed, and used the survey to express their dissatisfaction with this. The results to date on these very small samples therefore suggest that satisfaction with complaints resolution is low:</p> <p>Satisfaction with final outcome of complaint 2019/20 – 16.7% satisfied, 83.3% dissatisfied 2020/21 – 0% satisfied, 83.3% dissatisfied</p>

				Satisfaction with overall handling of complaint 2019/20 – 16.7% satisfied, 83.3% dissatisfied 2020/21 – 8.3% satisfied, 8.3% neither, 83.3% dissatisfied
5	Cooperation with Housing Ombudsman Service			
		Yes	No	Comments
5.1	Were all requests for evidence responded to within 15 days?		✓	From reviewing Barnet Homes' records, we believe that two responses were sent out of time in both 2019/20 and 2020/21.
5.2	Where the timescale was extended did we keep the Ombudsman informed?		✓	In 2019/20, the Housing Ombudsman was not kept updated via email about the delay, with one response being sent one day late, and the other three days late. In 2020/21, the Housing Ombudsman was kept informed via email about the delay for one of the enquiries, but not for the other. Barnet Homes has put into place additional measures to reduce the risk of responses not being provided to the Housing Ombudsman within 15 working days. Barnet Homes has in the past experienced inconsistencies in the timescales required for responses to the Housing Ombudsman, has occasionally had duplicate requests for information from different officers at the Housing Ombudsman, and has received correspondence chasing responses that had already been provided. We therefore welcome the introduction of the Code if it will bring consistency to the timescales involved, as this should enable Barnet Homes to adopt a more practiced, methodical approach to dealing with enquiries.
6	Fairness in complaint handling			
		Yes	No	Comments
6.1	Are residents able to complain via a representative throughout?	✓		<p>The Barnet Homes Complaints and Compliments Policy includes “via a third party (with permission, including advocates)” as a method for making complaints. The scope of the policy specifies that third parties can complain on behalf of residents:</p> <p><i>2.3 The Barnet Group welcomes complaints and compliments from all customers, advocates on behalf of customers, and non-customers who are affected by its services. This includes:</i></p> <ul style="list-style-type: none"> • <i>current and potential tenants, leaseholders, and residents of properties owned or managed by The Barnet Group, or other housing applicants;</i> • <i>customers and clients in receipt of support services such as homelessness, floating support, community development work, or other support including, but not limited to, that with employment, training, and benefits advice from The Barnet Group;</i> • <i>customers we support through our adult social care services, and their families;</i> • <i>residents neighbouring properties owned or managed by The Barnet Group, or its development sites;</i> • <i>former residents who have been living in homes owned or managed by The Barnet Group, or who have been in receipt of any services offered by The Barnet Group;</i> • <i>MPs and Councillors making a complaint on behalf of a tenant or leaseholder; and</i>

				<ul style="list-style-type: none"> • <i>other third parties and advocates acting with permission on behalf of a customer (excluding legal representatives who write to us with a view to take legal action).</i> <p>It also includes a section on third party complaints:</p> <p><i>5.3 Complaints by third parties</i></p> <p><i>5.3.1 We recognise that some people who wish to complain may need support in doing so. We accept complaints made by advocates on behalf of a complainant, and will take steps in line with our Data Protection Policy to make sure that the complainant is in agreement. A completed and signed advocacy form would be required to evidence a complainant's authorisation. Where, for reasons of incapacity, it is not possible for the complainant to authorise an advocate in this way, we will request other evidence that the advocacy is legitimate, e.g. a Mental Capacity Act Assessment.</i></p> <p><i>5.3.2 Councillors and Members of Parliament (MPs) may bring a formal complaint by acting as their constituent's advocate. Councillors and MPs may also make enquiries on behalf of their constituents without submitting a formal complaint; these are handled in line with our VIP Enquiry Procedure.</i></p>
		Yes	No	Comments
6.2	If advice was given, was this accurate and easy to understand?	✓		<p>Barnet Homes' Complaints Procedure includes the following guidance for complaints handlers:</p> <p><i>1.16 Complaints responses must:</i></p> <ul style="list-style-type: none"> • <i>be written in plain language that is appropriate to the resident, and provide advice that is easy to understand;</i> • <i>address all points raised in the complaint;</i> • <i>provide clear reasons for any decisions;</i> • <i>accurately reference any relevant policies, laws, and good practice where appropriate;</i> • <i>provide the details of any remedy offered to put things right;</i> • <i>provide the details of any outstanding actions, and a timescale for the completion of these;</i> <p><i>and</i></p> <ul style="list-style-type: none"> • <i>provide the details of how to escalate the matter if the complainant remains dissatisfied.</i> <p><i>See the following guidance for more information about effective complaints-handling and how to compose a good response:</i></p> <ul style="list-style-type: none"> • <u><i>Guidance: Effective Complaints Handling Principles</i></u> • <u><i>Guidance: Complaints Handling Good Practice</i></u> • <u><i>Guidance: Complaint Response Letters - 8 Golden Rules</i></u>

				<p>Quality assurance checks of complaints take into consideration the decision provided, and are scored against the below criteria. The QA template includes best practice (exemplary) and good practice (required service standards) descriptions, and is an opportunity for complaints handlers to make future improvements.</p> <p><i>4.1 Tone of Explanation (Is the explanation customer focussed? Does it show understanding of the impact of the issues on the complainant? (irrespective of whether 'fault' identified))</i> <i>4.2 Clear and logical explanation</i> <i>4.3 Breadth of Explanation</i> <i>4.4 Quality of Explanation</i> <i>4.5 Decision (Is it clear what decision has been reached?)</i> <i>4.6 Accuracy</i> <i>4.7 Use of Language</i> <i>4.8 Apology (if applicable)</i> <i>4.9 Next Steps</i></p>
		Yes	No	Comments
6.3	<p>How many cases did we refuse to escalate?</p> <p>What was the reason for the refusal?</p>			<p>Prior to the implementation of the current Complaints and Compliments Policy in November 2019, Barnet Homes operated a three-stage complaints process, which was reduced to two stages in consultation with residents. In 2019/20 there were no refusals to escalate complaints to Stage 2, and two refusals to escalate to Stage 3. Both were refused as the complainant had a more appropriate form of recourse, in that they should have appealed through a statutory process rather than through the complaints procedure.</p> <p>In 2019/20, there were two refusals to escalate complaints to Stage 2. In one instance, the tenant's complaint related to new issues, and refusing to give details about what they remained dissatisfied with. It was explained by email that unless the information requested was supplied, Barnet Homes would be unable to carry out a review at Stage 2. No further evidence was provided by the tenant. Escalation of the second complaint was refused as the tenant advised Barnet Homes that its response at Stage 1 was wrong, however Barnet Homes had evidence that what they had been advised was correct and the tenant was unable to provide evidence to the contrary.</p>
6.4	Did we explain our decision to the resident?	✓		<p>All refusals to escalate a complaint were undertaken with emails sent to the complainants to set out Barnet Homes' position and explain why the complaint would not be escalated.</p> <p>This is in line with Barnet Homes' Complaints and Compliments Policy, which includes a section on requests to escalate complaints:</p> <p><i>5.4.3 Requests to escalate complaints</i></p>

				<p>5.4.3.1 <i>If the complainant is not satisfied by our response at Stage 1, and there is evidence that the issues have not been resolved or there have been substantive errors in the handling of the complaint, the complainant may request further investigation by a senior manager.</i></p> <p>5.4.3.2 <i>The Barnet Group will not unreasonably deny a request for a complaint to be reviewed at Stage 2. The Complaints and Information team will consider all requests for escalation on their individual merits, and will take into account the customer's perspective and the steps that have been taken. The team will determine one of the following and explain the decision fully in writing:</i></p> <p>Further action is required as:</p> <ul style="list-style-type: none"><i>the Complaints and Information team considers that more needs to be done by the service area being complained about to resolve the complaint for the customer. This may include where there have been substantive errors in the handling of the complaint, or there are policy issues to be considered, such as where an Ombudsman has made a ruling or there has been a change in regulation that has not yet been reflected in a policy.</i> <p>Escalation is not warranted as:</p> <ul style="list-style-type: none"><i>the complainant will not provide specific reasons for requesting a review;</i><i>the complainant is raising only new issues, which will be dealt with as a new complaint at Stage 1;</i><i>all resolution actions have been completed effectively in line with policies and procedures;</i><i>the action taken is set out by legislation or regulation;</i><i>it involves a request for compensation which is contrary to our Compensation and Financial Loss Policy;</i><i>the complainant has refused to engage with staff in trying to resolve the complaint at an earlier stage.</i><i>legal action is being taken against The Barnet Group; and/or</i><i>the customer's desired outcome is outside of The Barnet Group's responsibility or control, or is excessive given the service failure.</i>
--	--	--	--	---

7	Outcomes and remedies			
		Yes	No	Comments
7.1	Where something has gone wrong are we taking appropriate steps to put things right?	✓		<p>The Barnet Homes Complaints and Compliments Policy includes a section on putting things right, which is in line with the HOS' recommended appropriate remedies:</p> <p><i>5.4.5.2 Complaints to The Barnet Group that are upheld may be resolved in a number of ways. Any remedies to complaints that are offered will reflect the extent of any and all service failures, and the level of detriment caused to the resident as a result. These may include:</i></p> <ul style="list-style-type: none"> • <i>acknowledging where things have gone wrong;</i> • <i>providing an explanation, assistance, or reasons;</i> • <i>apologising;</i> • <i>taking action if there has been a delay;</i> • <i>reconsidering or changing a decision;</i> • <i>amending a record;</i> • <i>providing a financial remedy; and/or</i> • <i>changing policies, procedures, or practices.</i> <p>The steps taken to put things right are considered in quality assurance checks of complaints-handling. The QA template includes best practice (exemplary) and good practice (required service standards) descriptions, and is an opportunity for complaints handlers to make future improvements:</p> <p>5.1 Action taken to address problems for the future and prevent possible reoccurrence or escalation of problems</p>

8	Continuous learning and improvement			
		Yes	No	Comments
8.1	What improvements have we made as a result of learning from complaints?			<p>Lessons from complaints are managed by service areas through a lessons log, supported by the Complaints and Information Team. In 2019/20, lessons learnt from complaints included:</p> <p>Repairs:</p> <ul style="list-style-type: none"> • Planners more closely monitoring operatives' diaries to address missed appointments sooner; • Training for the Contact Centre on the Repairs Policy. <p>Gas:</p> <ul style="list-style-type: none"> • Customer care training for planners; • Review of engineers staffing levels during servicing spike periods (winter). <p>Housing Options:</p> <ul style="list-style-type: none"> • Temporary Accommodation (TA) reduction project – a working group of managers to trial different solutions to reduce TA placements in the first instance; • Implementation of a customer portal – customers can access their case information online, which should give them more control; • Increased training for frontline staff – including on complaints handling. <p>Housing Management:</p> <ul style="list-style-type: none"> • Actions to improve the management of expectations from the outset regarding ASB, including training for the Contact Centre to enable the possible outcomes of ASB complaints to be more effectively communicated; • Review succession procedure. <p>Property:</p> <ul style="list-style-type: none"> • Review of the process for dealing with compensation re. commercial boiler, to ensure timely payment through rent accounts; • Improve initial communication to residents affected by a breakdown – be more proactive in getting in touch to tell customers the boiler has broken down and setting out what we're going to do about it.

		Yes	No	Comments
8.2	<p>How do we share these lessons with:</p> <p>a) residents?</p> <p>b) the board/governing body?</p> <p>c) In the Annual Report?</p>			<p>a) Examples of lessons learnt are shared with residents through the quarterly newsletter At Home. They are also published on the Barnet Homes website as part of its quarterly complaints performance update.</p> <p>b) Examples of lessons learnt are shared on an annual basis with the Barnet Homes Board. For 2019/20 performance, this was part of a virtual away day due to COVID-19. Quarterly performance reports are also shared with the Resident Board once a quarter, and include examples of lessons learnt.</p> <p>c) Examples of lessons learnt are included in the Annual Report, which is published on the Barnet Homes website.</p>
8.3	Has the Code made a difference to how we respond to complaints?		✓	The Code has not changed the way Barnet Homes responds to complaints. Barnet Homes finds that its approach is in line with that set out in the HOS Code. However, the potential to strengthen or clarify some areas has been identified, as indicated in the next section.
8.4	What changes have we made?			<p>Barnet Homes has made some minor changes to its Complaints and Compliments Policy as part of its review of the Code (for example, in updating the definition of a complaint, and adding a section on 'putting things right' that sets out the existing remedies Barnet Homes may take). The publication of the Code has provided reassurance regarding Barnet Homes' existing approach to complaints-handling, which we have found was broadly in line with the detailed expectations of the Code. We believe it will be a useful tool for working with staff to ensure a robust approach is consistently delivered.</p> <p>Barnet Homes has put into place some additional internal measures to reduce the risk of responses to the Housing Ombudsman being provided late, and is reiterating with managers the need to provide timely and comprehensive information for these. Barnet Homes also intends to update its guidance on effective complaints-handling to ensure that all aspects of the Code are covered, and staff understand their and the organisation's responsibilities, and is also delivering briefings on the Code.</p>