

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>Kirklees Council’s Complaint Policy reflects the definition of the Code.</p> <p>The Complaint Policy was updated in April 2024 following the release of the new Complaint Handling Code.</p> <p>Homes and Neighbourhoods complaints and compliments Kirklees Council</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>Kirklees Council’s Complaint Policy details the definition of a complaint and includes flow chart to support accurate identification of complaints.</p>	
1.4	<p>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</p>	Yes	<p>Kirklees Council’s Complaint Policy details the definition of a complaint and includes flow chart to support the identification of a complaint and service request.</p>	

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	taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly.			
1.5	A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Landlords must not stop their efforts to address the service request if the resident complains.	Yes	If a resident remains dissatisfied with our response to a service request, they can escalate their case 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	Following completion of electronic surveys residents are provided a link to make a complaint if they are dissatisfied with the standard of service, actions or lack of action by the Kirklees Council, its staff, or those acting on its behalf of Kirklees Council.	

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>Complaints will be accepted unless it relates to any of the reasons as outlined Kirklees Council Complaints Policy.</p> <p>Where a complaint has not been accepted, the reason is provided in writing to the resident.</p>	
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"> • The issue giving rise to the complaint occurred over twelve months ago. • 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. 	Yes	<p>Kirklees Council Complaints Policy states the reasons why we may not accept a complaint.</p> <p>However, it may not always be appropriate for us to rely on these exclusions e.g., where complaints concern safeguarding or health and safety issues, in these cases a complaint can be logged.</p> <p>In all cases the resident will be written to advise if their complaint has not been accepted.</p>	

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	<ul style="list-style-type: none"> Matters that have previously been considered under the complaints policy. 			
2.3	Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.	Yes	Kirklees Council Complaints Policy states the reasons why we may not accept a complaint.	
2.4	If a landlord decides not to accept a complaint, an explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.	Yes	<p>Circumstances of when a complaint may not be accepted are detailed in Kirklees Council's Complaint Policy.</p> <p>In all cases the resident will be written to advise if their complaint has been accepted.</p>	
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	Yes	<p>Circumstances of when a complaint may not be accepted is details in Kirklees Council's Complaint Policy.</p> <p>However, it may not always be appropriate for us to rely on these exclusions, and this will be assessed on a case by case basis.</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>Kirklees Council offers a wide range of ways for residents to make a complaint.</p> <p>Reasonable adjustments and accessibility are detailed in the Council’s Complaints Policy and is in line with the Council’s Inclusion and Diversity Strategy.</p> <p>An Integrated Impact Assessment (IIA) has been undertaken to ensure compliance with the Equality Act 2010.</p>	<p>Multiple routes to complain are available e.g. website, telephone, email, in writing, face to face and social media.</p> <p>The IIA was carried out in January 2024 and will be reviewed when the self-assessment is updated or if there is change in the Code or Policy</p>
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>The Policy states that residents will be able make a complaint in any way and with any member of staff. Staff have been trained on complaints handling which included the importance of referring any expressions of dissatisfaction to the HN Customer Experience Team (CET) so they can be considered in line with the Policy.</p>	<p>The latest round of Staff Training (in response to changes in the Code) is to be delivered for all managers and staff involved in complaints handling between Jun-Sep 2024</p>

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<p>3.3</p>	<p>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.</p>	<p>Yes</p>	<p>The policy says that the Council's welcomes complaints as an opportunity to listen to what our customers say and to help shape service improvements.</p> <p>2023/24 saw an almost 100% increase in the number of complaints received as a result of improved promotion of the complaints policy along with simpler and more accessible ways for residents to complain.</p>	
<p>3.4</p>	<p>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.</p>	<p>Yes</p>	<p>The Complaints Policy is accessible via our website, or alternatively residents can request a copy of this to be printed.</p> <p>Where this is required in another language this can be translated using the Council's language services and shared with a resident.</p> <p>The policy sets out the details of each stage of our process and timescales</p>	
<p>3.5</p>	<p>The policy must explain how the landlord will publicise details of the</p>	<p>Yes</p>	<p>This is included in Kirklees Council's Complaint Policy</p>	

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	complaints policy, including information about the Ombudsman and this Code.			
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	Kirklees Council accepts complaints from 3rd party representatives supporting residents and this is included in the Complaints Policy.	
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.	Yes	<p>This is included in the Complaints Policy.</p> <p>Kirklees Council website page on complaints and compliments includes details of the Ombudsman scheme and links to the Complaint Handling Code. All correspondence at each stage of the complaints process includes the Ombudsman's details and information about the scheme.</p> <p>Kirklees Council also promotes the Housing Ombudsman Service via the website and social media communications etc.</p>	

Section 4: Complaint Handling Staff

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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>Kirklees Council has a dedicated Customer Experience Team (CET) with a Services Manager and Team Manager to oversee complaints handling within Kirklees Homes and Neighbourhoods. The Team is responsible for logging and allocating all complaints across the organisation. Until a complaint is assigned to the complaint handler (who investigates the complaint) this team act as a liaison with the complainant to obtain as much information with regard the complaint when it is logged.</p> <p>The Head of Housing Management and Partnerships is the designated main contact for the Housing Ombudsman (HO) and the CET Services Manager is the lead liaison with the HO.</p> <p>Kirklees Council Cabinet Member and Portfolio Holder for Corporate and Housing is the designated Lead on the</p>	

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			governing body (Cabinet) for Complaints The CET Services Manager provides quarterly reports to the Governing Body (Cabinet) and other governance structures within the Council.	
4.2	The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly.	Yes	The CET Services Manager is appointed at a senior level with access to all relevant staff to ensure where possible early resolution to complaints, they liaise with investigating managers to provide support to ensure complaints are handled fairly and in line with policy and procedure. The same manager also reports quarterly on complaints handling performance, including Ombudsman determinations to Senior Management Team, Portfolio Holder, Homes and Neighbourhoods Improvement Board and the Tenant-Led Panel.	
4.3	Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is	Yes	The Customer Experience Team have improved the data collected on complaints to help identify themes and trends in complaints.	The latest round of staff training is to be delivered again Jun-Sep 2024

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	<p>important that complaints are seen as a core service and must be resourced to handle complaints effectively.</p>		<p>Service area leads also meet on a minimum of a quarterly basis to review complaints and identify service improvements.</p> <p>Staff are trained on complaints handling.</p> <p>Kirklees Council Annual Report (council housing) includes a section on Complaints including learning and service improvements identified through complaint handling.</p>	
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Section 5: The Complaint Handling Process

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
5.1	<p>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.</p>		<p>Kirklees Council, as a social housing landlord, has one policy covering the complaints under the Complaint Handling Code.</p>	
5.2	<p>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</p>	Yes	<p>Kirklees Council operates a 2 stage process as required as part of the compliance against the Code.</p>	

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	complaint') as this causes unnecessary confusion.			
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	Two stage process in place.	
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	All complaints, involving a 3rd party e.g. a contractor, are handled through the council's complaints process. The council does not ask 3rd Parties to respond directly to complaints.	
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	Yes	Please see above.	
5.6	When a complaint is logged at Stage 1 or escalated to Stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will refer to this as "the complaint definition". If any aspect of the complaint is unclear, the resident must be asked for clarification.	Yes	The complaint and the outcomes are summarised as part of the acknowledgement for both Stages 1 and 2 in writing. Clarification is sought from a resident if the complaint or outcome required is not clear.	
5.7	When a complaint is acknowledged at either stage, landlords must be clear which aspects of the complaint they are,	Yes	Kirklees Council's Customer Experience Team (council housing) contacts residents by phone or email to clarify reasons	

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	and are not, responsible for and clarify any areas where this is not clear.		for complaints and details this in writing. The team also detail any aspect of the complaint not accepted and detail the reasons why within the letter.	
5.8	<p>At each stage of the complaints process, complaint handlers must:</p> <ul style="list-style-type: none"> a. deal with complaints on their merits, act independently, and have an open mind; b. give the resident a fair chance to set out their position; c. take measures to address any actual or perceived conflict of interest; and d. consider all relevant information and evidence carefully. 	Yes	<p>All complaints handlers have received training, and this is being updated and delivered again Jun-Sep 2024. This ensures they have the skills to handle, investigate and respond to complaints effectively.</p> <p>Complaint handlers are senior managers within the organisation, Stage 1 Services Manager Level and Stage 2 Strategic Manager level.</p> <p>Complaints are allocated to managers who have had no previous involvement with the case.</p> <p>An information and guidance pack are provided to the complaint handler at the outset of the investigation which provides background information on the complaint and the outcome sought.</p>	

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			Advice and guidance are also provided by the CET Service Manager to ensure complaints are handled fairly and in line with policy and procedure. This manager is also available to provide 'assurance and sign off' for complaint responses.	
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	Kirklees Council will advise residents when an extension is required will confirm in writing the length of the extension. This should not be over the timescales prescribed i.e. 10 days stage 1 and 20 days stage 2	
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	An Integrated Impact Assessment (IIA) was undertaken in January 2024 as part of the review of our Complaints Handling Policy using the Council's standard template, no actions were identified arising from the IIA. The IIA will be reviewed when the self-assessment is updated or if there is change in the Code or Policy Information on reasonable adjustments is collected through	This requires further action and Kirklees Council is developing a new system to enable these to be recorded and accessed in one system and be reviewed on a regular basis. The council aims to have this in place by November 25.

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			<p>day to day interactions and requests from customers. Currently these are not stored on one system.</p>	
5.11	<p>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.</p>	Yes	<p>Kirklees Council will only refuse to escalate a complaint if the timescales for responding to complaint have not been achieved e.g. to escalate on day 7 of a complaint at stage 1 where the timescale is 10 days.</p>	
5.12	<p>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.</p>	Yes	<p>Kirklees Council Customer Experience Team (council housing) keep a record of all communication with residents regarding their complaint. The team operate a shared mailbox for residents to send in evidence, communications, and updates on complaints.</p> <p>Not all correspondence or supporting documentation (e.g. reports or surveys) is automatically stored alongside the complaint handling system. Such documentation is held on other systems and can be made available if required.</p>	

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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	Kirklees Council encourage any individual member of staff or the complaint handler (consistent with information above) to adopt a restorative/early resolution approach to remedying complaints at any stage.	
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 reasons for putting any restrictions in place and must keep restrictions under regular review.	Yes	The policy includes a section on unacceptable behaviour and reference is made to tackle any unacceptable behaviour through the Council's Reasonable Behaviour Policy.	
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	<p>The policy includes a section on unacceptable behaviour and reference is made to tackle any unacceptable behaviour through the Council's Reasonable Behaviour Policy</p> <p>Where appropriate we log details on the Council's Hazard Warning Database to forewarn other Council staff and this database is reviewed annually.</p>	

Section 6: Complaints StagesStage 1

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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>At the resident’s initial point of contact, the Council’s Customer Support and Information and Team (council housing) undertake appropriate triaging so any high risk cases or residents with a vulnerability can be escalated quickly for early resolution.</p> <p>The CET then speak with the complainant and try and resolve the complaint at the point of contact and action any urgent issues. If further investigation is required, this is logged and assigned to a complaint handler within the relevant service area. Early resolution is a key element of the complaints process, which has been communicated to all managers and staff.</p>	
6.2	Complaints must be acknowledged, defined and logged at stage 1 of the complaints’ procedure <u>within five working days of the complaint being received.</u>	Yes	All complaints are acknowledged and logged within 5 working days by the CET.	
6.3	Landlords must issue a full response to stage 1 complaints <u>within 10 working</u>	Yes	The council’s Policy states that complaints must be responded to	

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	<u>days</u> of the complaint being acknowledged.		within 10 working days of the complaint being acknowledged.	
6.4	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes	<p>The council update residents when an extension to a timescale is required. The complaint handler will explain the rationale for this in writing along with the new response deadline. Any extension must be agreed with the resident.</p> <p>The process for extensions is overseen by the Customer Experience Team (CET) to ensure consistency and appropriateness of extensions.</p>	
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	Kirklees' Council confirms all extensions in writing i.e. letter or email and this is logged and the contact details for the Housing Ombudsman are provided in the extension letter.	
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	Yes	Complaint responses provide answers to the complaint are known.	

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	actioned promptly with appropriate updates provided to the resident.		If there are outstanding actions to address the issue in full then reference is made to these in the reply, along with timescales and who the lead officer is.	
6.7	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	Response letters are bullet pointed to provide the complainant with an answer to each individual point raised in the acknowledgement letter. These are then transferred over to the response letter, where we use standard letter templates which require Investigating Managers to address every point of the complaint.	
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	Where additional complaints / issues are raised by the resident following the complaint being logged, these are considered on a case by case basis to minimise the delay in providing a response and any confusion for the resident. Where possible, additional issues are added to the ongoing complaint. Where the issue(s) relate to a	

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			<p>different service area or are completely unrelated to the original complaint, a second complaint will be logged.</p> <p>The CET aim to capture all issues in 1 complaint where possible.</p>	
6.9	<p>Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language:</p> <ul style="list-style-type: none"> a. the complaint stage; b. the complaint definition; c. the decision on the complaint; d. the reasons for any decisions made; e. the details of any remedy offered to put things right; f. details of any outstanding actions; and g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response. 	Yes	<p>Kirklees' Council uses the Housing Ombudsman template letters to respond to complaints.</p>	

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	Yes	The council progress complaints to Stage 2 if the resident is not satisfied with the Stage 1 response.	

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	2 of the landlord’s procedure. Stage 2 is the landlord’s final response.		Stage 2 responses are investigated and signed off by a senior manager.	
6.11	Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints’ procedure within five working days of the escalation request being received.	Yes	The council progress complaints to Stage 2 if the resident is not satisfied with the Stage 1 response and these are acknowledged within 5 working days of receipt. Stage 2 complaints will be dealt with by a manager who is senior to the person who dealt with the complaint at Stage 1.	
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	Kirklees’ Council do not require residents to explain their reasons for requesting a Stage 2 complaint however residents are provided with an opportunity to add any reasons they would like to aid the investigation.	
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at Stage 1.	Yes	The allocation and escalation route for complaints ensures that the Stage 2 complaint is investigated by a manager in a more senior role than the manager at Stage 1.	

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6.14	Landlords must issue a final response to the stage 2 <u>within 20 working days</u> of the complaint being acknowledged.	Yes	The Policy states that complaints must be responded to within 20 working days of the complaint being acknowledged.	
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes	<p>The council will update residents when an extension to a timescale is required. The council explain the rationale for this in writing along with the new response deadline. Any extension must be agreed with the resident.</p> <p>The process for extensions is overseen by the Customer Experience Team (CET) to ensure consistency and appropriateness of extensions.</p>	
6.16	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes	Kirklees' Council confirm all extensions in writing i.e. letter or email and this is logged and the contact details for the Housing Ombudsman are provided in the extension letter.	
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	Yes	Complaint responses provide answers to the complaint are known.	

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	actions must still be tracked and actioned promptly with appropriate updates provided to the resident.		If there are outstanding actions to address the issue in full then we make reference to these in the reply, along with timescales and who the lead officer is.	
6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	Response letters are bullet pointed to provide the complainant with an answer to each individual point raised in the acknowledgement letter. These are then transferred over to the response letter, where we use standard letter templates which require Investigating Managers to address every point of the complaint.	
6.19	Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language: <ul style="list-style-type: none"> a. the complaint stage; b. the complaint definition; c. the decision on the complaint; d. the reasons for any decisions made; 	Yes	Kirklees Council use the Ombudsman template letters to respond to complaints.	

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	<p>e. the details of any remedy offered to put things right;</p> <p>f. details of any outstanding actions; and</p> <p>g. details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.</p>			
6.20	<p>Stage 2 is the landlord’s final response and must involve all suitable staff members needed to issue such a response.</p>	Yes	<p>Stage 2 investigations and responses are currently undertaken at Service Manager Level (who report directly to a Head of Service) who have the authority to sign off the detail of the investigation / response and to ensure impartiality is maintained.</p>	

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"> • Apologising; • Acknowledging where things have gone wrong; 	Yes	<p>Kirklees Council’s letter template provides a guide for investigating managers to ensure all elements of the complaint are addressed in the response including any follow up actions.</p>	

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	<ul style="list-style-type: none"> • Providing an explanation, assistance or reasons; • Taking action if there has been delay; • Reconsidering or changing a decision; • Amending a record or adding a correction or addendum; • Providing a financial remedy; • Changing policies, procedures or practices. 			
7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.	Yes	Remedies are considered on a case by case basis, using the guidelines set out in the Compensation and Redress policy. The Investigating Manager will discuss the case with the CET and agree the level of remedy appropriate. Where an ex-gratia payment is to be made over £100 this needs to be agreed with the CET Manager to ensure consistency.	
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	Template letters include a section for remedy / compensation which the Investigating Manager completes to detail the level of compensation, for what issue, and the level of financial payment offered. The	

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			remedy/compensation has to be agreed by the resident before payment is made. Once agreed the resident is informed on how the payment will be made and by when. The final response letter will outline all actions identified to put things right	
7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.		Kirklees Council Redress Policy (council housing) reflects guidance provided by the Ombudsman.	

Section 8: Self-assessment, reporting and compliance

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"> a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements. 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; c. any findings of non-compliance with this Code by the Ombudsman; d. the service improvements made as a result of the learning from complaints; e. any annual report about the landlord’s performance from the Ombudsman; and f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord. 	Yes	<p>Annual and quarterly reports on learning and service improvement are provided to Senior Managers, the Member Responsible for Complaints and relevant governing bodies in Kirklees Council.</p> <p>A 2023/24 Annual Complaints and Service Improvement Report to residents will be published in the summer 2024 that meets the requirements outlined in this code.</p> <p>Complaints handling information was provided in the 2022/23 Homes and Neighbourhoods’ Annual Report (published February 2024).</p>	

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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	2023/24 Annual Complaints and Service Improvement Report will be reported to the Council's Cabinet Member responsible for complaints along with their response in June 2024.	
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Yes	This self-assessment was undertaken in April 2024 to reflect the revised Complaint Handling Code introduced in February 2024.	
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	Yes	The Council will comply with all HOS investigations, orders and recommendations	
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	If the Council are unable to comply with the code due to exceptional circumstance, the Ombudsman will be informed, along with any affected residents and this will be published on the website. A timescale for restoring compliance will be provided	

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	Evidence of learning from complaints is outlined in the 2023/24 Annual Complaints and Service Improvement Report referred to in 8.1 above	
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	See above. Identifying learning opportunities from complaints is a requirement for investigating managers as part of their investigations. Any learning is logged in the complaints system and shared through quarterly SMT performance updates.	
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	Yes	Quarterly Complaints Handling Performance information is reported to SMT, Portfolio Holder, Tenant Led Panel and Homes and Neighbourhoods Improvement Board (HNIB).	

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	<p>stakeholders, such as residents' panels, staff and relevant committees.</p>		<p>These reports include: -analysis of complaint handling performance and types of complaints HN wide and also by service area - updates on any self-assessment - Service improvements and learning - Ombudsman determinations and casework</p> <p>Kirklees Council has also provided complaints handling information in 2022/23 Annual Report (published February 2024)</p> <p>A Complaints Handling Report was considered at the Council Growth and Regeneration Scrutiny Panel in March 2024.</p>	
<p>9.4</p>	<p>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.</p>	<p>Yes</p>	<p>The Head of Housing Management Partnerships, Homes and Neighbourhoods, is the senior lead person for complaints. This HoS oversees complaint Handling on behalf of Kirklees Council.</p>	

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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	The Portfolio Holder for Corporate and Housing holds this role on behalf of Council Cabinet.	
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	Quarterly reports are provided to the Portfolio Holder. In addition, they receive reports on any cases of maladministration found by the Housing Ombudsman along with details of the case review, learning and service improvements.	
9.7	As a minimum, the MRC and the governing body (or equivalent) must receive: a. regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance; b. regular reviews of issues and trends arising from complaint handling; c. regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders	Yes	Quarterly reports are provided to the Portfolio Holder. In addition, they receive reports on any cases of maladministration found by the Housing Ombudsman along with details of the case review, learning and service improvements.	

	related to severe maladministration findings; and d. annual complaints performance and service improvement report.			
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> <p>a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;</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>	Yes	<p>The Policy states as members of the Housing Ombudsman Scheme, the Council commit to follow the Housing Ombudsman Dispute Resolution principles of being fair, putting things right and learning from outcomes.</p> <p>At all times co-operate with the Housing Ombudsman or other regulatory body with responsibilities for oversight of complaints handling.</p> <p>Aim to ensure that approaches reflect best practice, including the expectations set out in the Housing Ombudsman Complaint Handling Code.</p> <p>Kirklees Council will:</p> <ul style="list-style-type: none"> - Show that the customer voice is at the heart of any complaints resolution by listening carefully to what is being said to us by using restorative techniques - Treat all complainants equally and fairly 	

			<ul style="list-style-type: none">- Aim to resolve dissatisfaction at the first point of contact wherever possible- Have a formal two stage complaints process- Monitor and record formal complaints through our Customer Experience Team<ul style="list-style-type: none">- Use complaints to learn, improve and develop our service- Take steps to put things right and, where possible, to restore the complainant to the position which existed prior to the service failure- Ensure building safety related complaints are escalated to the appropriate responsible person<ul style="list-style-type: none">- While it is important to note that the complaints process cannot be used to bypass procedures, processes and statutory requirements, officers will work flexibly and creatively to see if they can positively help the customer with their concern <p>This is relevant to all staff working for Homes and Neighbourhoods, on behalf of Kirklees Council as well as our contractors and agents.</p>	
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