

Public Document Pack



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21 June 2024

Dear Councillor

NOTICE OF DECISION TAKEN BETWEEN MEETINGS – (DD01 24) ANNUAL HOUSING COMPLAINTS PERFORMANCE AND SERVICE IMPROVEMENT REPORT INCLUDING SELF-ASSESSMENT AGAINST THE HOUSING OMBUDSMAN'S COMPLAINT HANDLING CODE

Please find attached details of a decision taken by Councillor Stacey Blair, Portfolio Holder for Finance, Governance, Climate Change and Environment.

The deadline for call-in of this decision is **10.00am on Thursday, 27 June 2024.**

If call-in is not activated, the implementation date for this decision will be noon on 27 June 2024.

Members of the public who require further information are asked to contact Democratic Services on 01304 872303 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read "Stacey Blair". The signature is fluid and cursive, with a large loop at the end.

Head of Corporate Services and Democracy

ENCL

- 1 **NOTICE OF DECISION TAKEN BETWEEN MEETINGS (DPH01 24) ANNUAL HOUSING COMPLAINTS PERFORMANCE AND SERVICE IMPROVEMENT REPORT INCLUDING SELF-ASSESSMENT AGAINST THE HOUSING OMBUDSMAN'S COMPLAINT HANDLING CODE** (Pages 2 - 62)

Decision Notice

Decision Taken Between Meetings

| | |
|---------------------------------|--|
| Decision No: | DPH01 24 |
| Subject: | ANNUAL HOUSING COMPLAINTS PERFORMANCE AND SERVICE IMPROVEMENT REPORT INCLUDING SELF-ASSESSMENT AGAINST THE HOUSING OMBUDSMAN'S COMPLAINT HANDLING CODE |
| Notification Date: | 21 June 2024 |
| Implementation Date: | 27 June 2024 |
| Decision taken by: | Councillor S B Blair, Portfolio Holder for Finance, Governance, Climate Change and Environment |
| Authority: | Paragraph 12 (General Responsibilities Delegated to all Members of the Executive) of Section 3C of Part 3 (Responsibility for Functions) of the Constitution |
| Decision Type: | Executive Non-Key Decision |
| Call-In to Apply? | Yes (Call-in will expire at 10.00am on 27 June 2024) |
| Classification: | UNRESTRICTED |
| Reason for the Decision: | To approve the self- assessment and authorise its publication and submission to the Housing Ombudsman. |
| Decision: | <p>(a) That in accordance with the Housing Ombudsman's Complaint Handling Code the Annual Complaints Performance and Service Improvement Report, which includes the Annual Self-assessment against the Code, as set out in Appendices 1 and 2 be received and approved.</p> <p>(b) That the Portfolio Holder for Finance, Governance, Climate Change and Environment approve the proposed response, as set out in Appendix 3, on behalf of the Cabinet for the Annual Complaints Performance and Service Improvement report, for publication.</p> <p>(c) That the Head of Corporate Services and Democracy be authorised to publish the report and the response from the Portfolio Holder for Finance, Governance, Climate Change and Environment on behalf of the Cabinet.</p> <p>(d) That the Head of Corporate Services and Democracy be authorised to submit the self-assessment to the Housing Ombudsman by 30 June 2024.</p> |

1. **Consideration and Alternatives** *(if applicable)*
 - 1.1 See attached report.
2. **Any Conflicts of Interest Declared?**
 - 2.1 None.

3. **Supporting Information** *(as applicable)*

3.1 See attached report.

| | |
|---------------------------------|--|
| Subject: | ANNUAL HOUSING COMPLAINTS PERFORMANCE AND SERVICE IMPROVEMENT REPORT INCLUDING SELF-ASSESSMENT AGAINST THE HOUSING OMBUDSMAN'S COMPLAINT HANDLING CODE |
| Decision to be taken by: | Councillor S B Blair, Portfolio Holder for Finance, Governance, Climate Change and Environment |
| Report of: | Rebecca Brough, Head of Corporate Services and Democracy |
| Portfolio Holder: | Councillor S B Blair, Portfolio Holder for Finance, Governance, Climate Change and Environment |
| Decision Type: | Executive Non-Key Decision |
| Call-In to be Suspended: | No |
| Classification: | UNRESTRICTED |
| Delegated Authority: | Paragraph 12 (General Responsibilities Delegated to all Members of the Executive) of Section 3C of Part 3 (Responsibility for Functions) of the Constitution. |
| Purpose of the report: | To approve the self- assessment and authorise its publication and submission to the Housing Ombudsman. |
| Recommendation: | <p>(a) That in accordance with the Housing Ombudsman's Complaint Handling Code the Annual Complaints Performance and Service Improvement Report, which includes the Annual Self-assessment against the Code, as set out in Appendices 1 and 2 be received and approved.</p> <p>(b) That the Portfolio Holder for Finance, Governance, Climate Change and Environment approve the proposed response, as set out in Appendix 3, on behalf of the Cabinet for the Annual Complaints Performance and Service Improvement report, for publication.</p> <p>(c) That the Head of Corporate Services and Democracy be authorised to publish the report and the response from the Portfolio Holder for Finance, Governance, Climate Change and Environment on behalf of the Cabinet.</p> <p>(d) That the Head of Corporate Services and Democracy be authorised to submit the self-assessment to the Housing Ombudsman by 30 June 2024.</p> |

1. Summary

- 1.1 This report seeks to approve the Housing Ombudsman's Self-Assessment concerning the Council's complaints handling processes for publication and

submission and issue a response from the Cabinet in respect of the Council's complaint handling arrangements.

2. Introduction and Background

2.1 The Housing Ombudsman Complaint Handling Code made under The Social Housing (Regulation) Act 2023 imposes a duty on the Council as landlord to monitor its compliance.

2.2 This report sets out the details of the self-assessment and the annual complaints performance and service improvement report for housing management, repairs and rents in its appendices.

3. Identification of Options

3.1 Option 1: To approve and authorise publication of the Annual Complaints Performance and Service Improvement Report, which includes the Annual Self-assessment against the Code, as set out in Appendices 1 and 2, prior to 30 June 2024 and to issue the governing body response on behalf of the Cabinet. This is the recommended option.

3.2 Option 2: To not approve and authorise the publication of the Annual Complaints Performance and Service Improvement Report or to approve and authorise publication after the 30 June 2024.

4. Evaluation of Options

4.1 Option 1: The Council's Annual Self-Assessment sets out how it complies with the Housing Ombudsman's Complaint Handling Code and provides evidence to support this position. This is required to be published and submitted by no later than 30 June 2024.

4.2 Option 2: The Housing Ombudsman is required to ensure that the Council as landlord meets the standards set out in the Code for complaint handling. As part of this the Council is required to submit its Annual Self-Assessment to the Housing Ombudsman by 30 June each year with effect from 2024. If this was to not be completed or submitted, the Council would risk non-compliance with the Housing Ombudsman's Complaints Handling Code.

4.3 Non-compliance will risk intervention from the Housing Ombudsman in order to bring the Council back into compliance. In the event of on-going failures with compliance, the Housing Ombudsman can issue a Complaint Handling Failure Orders (CHFO). The Housing Ombudsman's Self-Assessment Guidance states a landlord's failure to provide their submission may be issued with a Type 3 CHFO (non-compliance with the statutory Complaint Handling Code).

5. Resource Implications

5.1 There are no resource implications arising from this report.

6. Climate Change and Environmental Implications

6.1 There are no direct climate change or environmental implications arising from this report.

7. **Corporate Implications**

7.1 Comment from the Director of Finance (linked to the MTFP): Accountancy has been consulted on the report and has no further comments to add.

7.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make

7.3 Comment from the Equalities Officer: The self-assessment demonstrates the Council has given due regard to those with a protected characteristic in line with the public sector equality duty. The Equality Officer has no further comments to make, other than to remind Members that are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

8. **Appendices**

Appendix 1 – Annual Complaints Performance (Housing)

Appendix 2 – Response of the Governing Body

Appendix 3 – Annual Housing Ombudsman Self-Assessment

9. **Background Papers**

Joint Complaint Handling Code

Contact Officer: Rebecca Brough, Head of Corporate Services and Democracy

Annual Complaints Performance (Housing)

1. Summary

1.1 This appendix outlines the complaints received in relation to housing services during the financial year 1 April 2023 to 31 March 2024 and covers the following points:

- Number of complaints received
- Number of complaints handled at each stage of the process
- Complaints by type/service area
- Complaints performance

1.2 In addition to this appendix, an annual report covering all areas of complaints, including housing, will be submitted to the Governance Committee in September 2024.

2. Introduction and Background

2.1 The Social Housing (Regulation) Act 2023 introduced new social housing consumer standards that contain specific expectations that registered providers of social housing must comply with and detail the outcomes that providers are expected to achieve.

2.2 In relation to complaints, the Transparency, Influence and Accountability Standard states that the registered provider (the Council) must:

- Ensure their approach to handling complaints is simple, accessible and publicised.
- Provide accessible information to tenants about:
 - (a) how tenants can make a complaint about their landlord;
 - (b) the landlord's complaints policy and complaints handling process;
 - (c) what tenants can do if they are dissatisfied with the outcome of a complaint or how a complaint was handled; and
 - (d) the type of complaints received and how they have learnt from complaints to continuously improve services

2.3 In the event that the Council cannot resolve a matter to the tenant's satisfaction, they have the option of complaining to the Housing Ombudsman Service and asking they investigate the matter.

2.4 The Housing Ombudsman published a new statutory Joint Complaint Handling Code that came into effect on 1 April 2024. A similar non-statutory Code was also introduced by the Local Government and Social Care Ombudsman at the same time.

- 2.5 The statutory guidance provides for a single, robust set of standards for complaints procedures that are accessible, efficient and fair. These will facilitate the development of a framework for high-quality complaint handling that will enable the Council (as landlord) to resolve complaints raised by its residents as efficiently and effectively as possible and imbed lessons learning from complaints to drive service improvements.
- 2.6 A legal duty is also placed on the Ombudsman to monitor compliance with the Code, regardless of whether it receives individual complaints from residents about a landlord.
- 2.7 The revised Complaint Handling Code requires landlords to produce an annual complaints performance and service improvement report for scrutiny and challenge, which includes a self-assessment against the Code.
- 2.8 Dover District Council has always viewed complaints as an opportunity to learn and improve services for its residents and actively encourages tenants and customers to raise comments and complaints. All expressions of dissatisfaction represent a positive opportunity to learn and provide insight that will help the Council improve its service delivery.
- 2.9 In accordance with the Ombudsmen's Joint Complaint Handling Code, the Member Responsible for Complaints (known as the 'MRC') and the governing body (or equivalent) must receive the following:
- (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 related to severe maladministration findings; and
 - (d) Annual complaints performance and service improvement report.
- 2.10 The Head of Corporate Services and Democracy will work with the MRC to determine the best method of delivering this requirement. Currently, the Council provides quarterly updates on Stage 2 complaints to Cabinet and Overview and Scrutiny Committee and an Annual Report to the Governance Committee.
- 2.11 It is intended that the Governance Committee will continue to monitor complaints handling and Ombudsman investigations and, in relation to non-executive functions, to make payments or provide other benefits in cases of maladministration.
- 2.12 This will not change the role of individual Portfolio Holders who will continue to receive updates as normal on the performance of their respective service areas including in relation to complaints.
- 3. Complaints Handling 2023/24**
- 3.1 The Council has historically reported on complaints on the basis of complaints closed during a given quarter. However, in keeping with other reporting requirements for housing complaints, the Council is now reporting on the dates that complaints were

received at each stage in the process. The figures below apply to the period 1 April 2023 to 31 March 2024.

3.2 For the purposes of this report, complaints relating to the following housing services are provided:

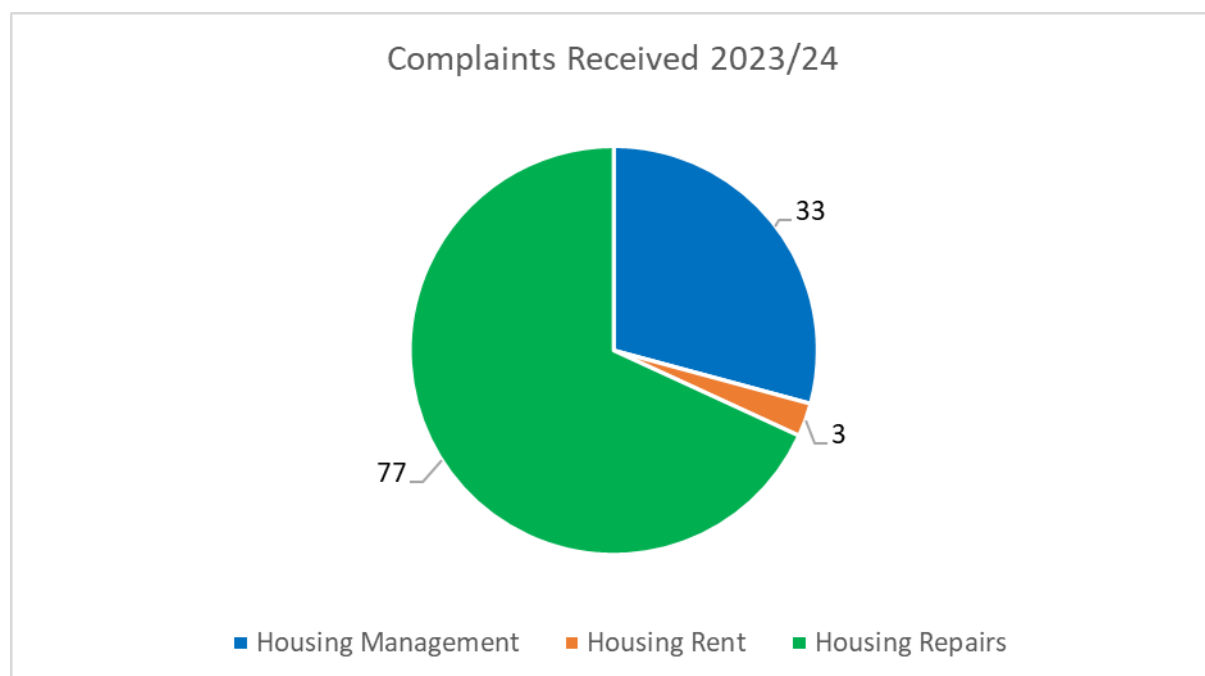
- Housing Management
- Housing Rents
- Housing Repairs

3.3 Complaints relating to other services within the Council will be reported to the Governance Committee as part of the Annual Complaints report due to be considered by the Governance Committee in September 2024. This includes Housing Needs/Options which falls under the Local Government and Social Care Ombudsman so these figures will be reported as part of the full Annual Complaints report covering all Council services.

3.4 The Council operates a two stage complaints process in accordance with the Joint Complaint Handling Code. The details of the Council's Housing Complaints Handling for 2023/24 is set out below:

Complaints Received 2023/2024

3.5 Overall, the Council has seen an increase in complaints year-on-year between 2022-23 and 2023-24. For the three housing services referred to above, this has seen the number increase from 90 to 113 complaints, although this is with the caveat that for 2022-23 the figures are based on complaints closed rather than complaints received.



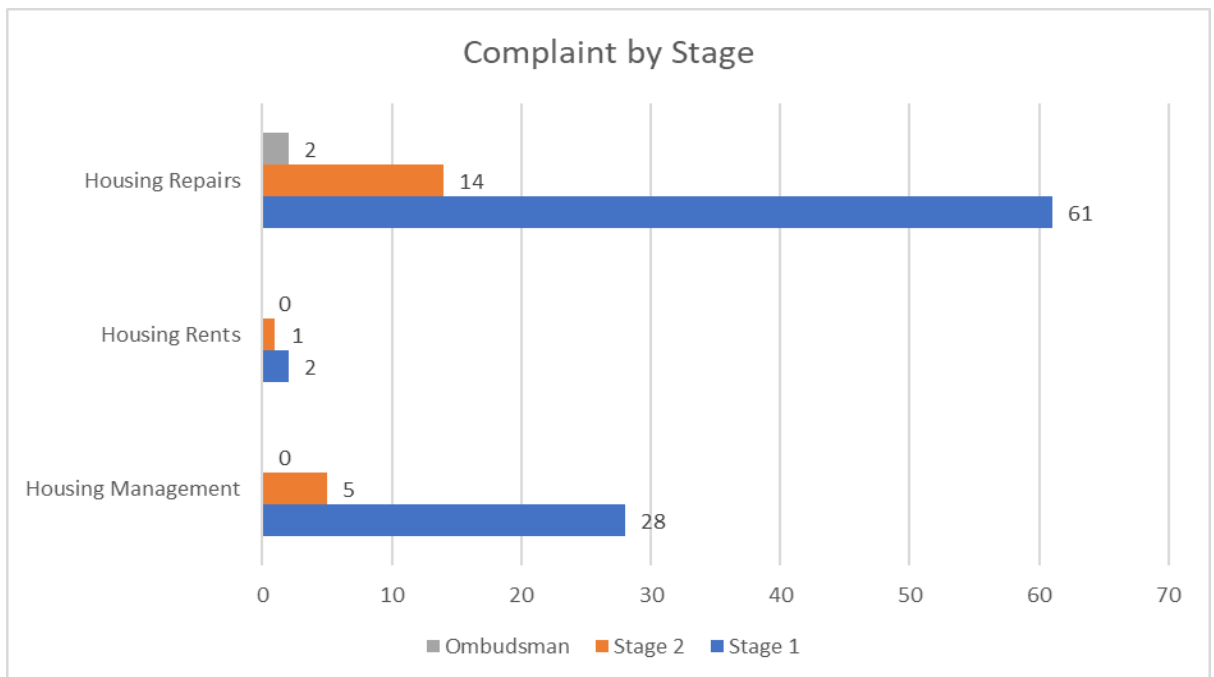
Complaints the Council Refused to Accept

3.6 The complaints that we refused to accept that related to the Council's role as landlord were for the following reasons in 2023/24 were in line with those set out in our Complaints Policy. They were:

- Contacts considered to be a request for service and not a complaint.
- Complaints relating to staff behaviour as these engage a separate procedure

3.7 If the Council takes the decision not to accept a complaint, a detailed explanation will be provided to the complainant setting out the reasons why the matter is not suitable for the complaints process and the right to take the decision to the appropriate Ombudsman. Where the Ombudsman does not agree the Council may be instructed to accept the complaint.

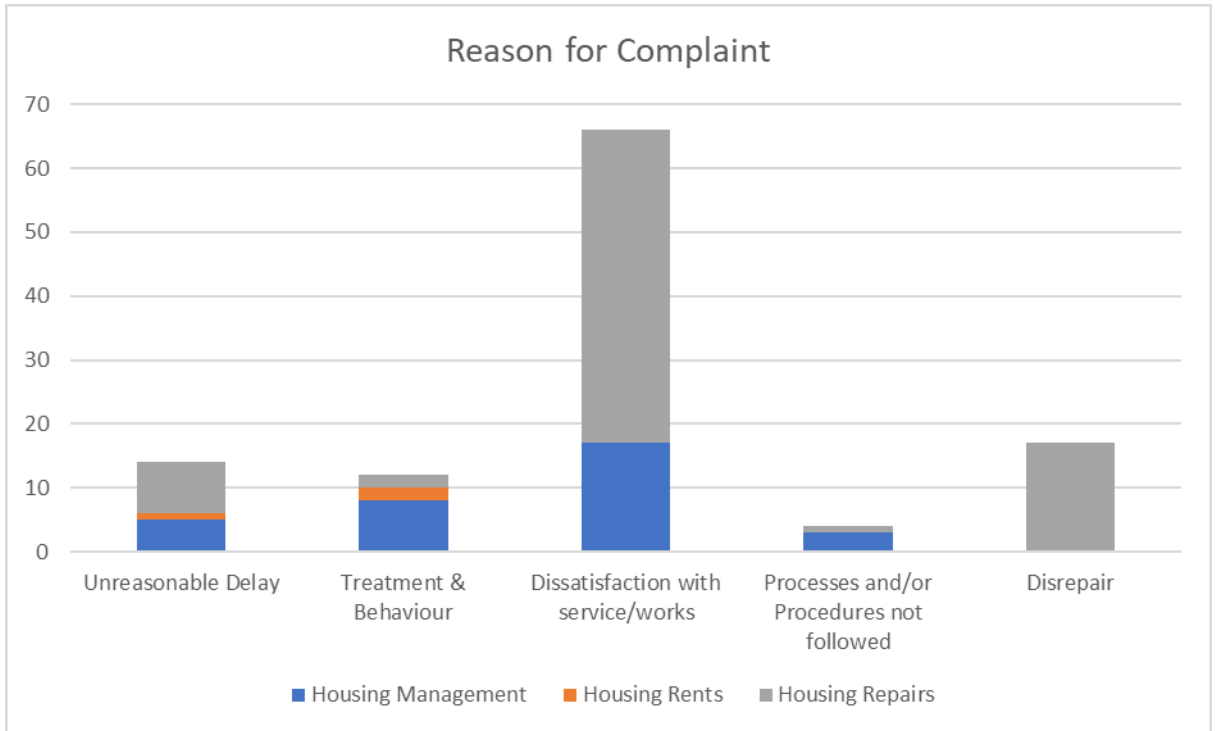
Complaint Received by Stage and Service Area 2023/24



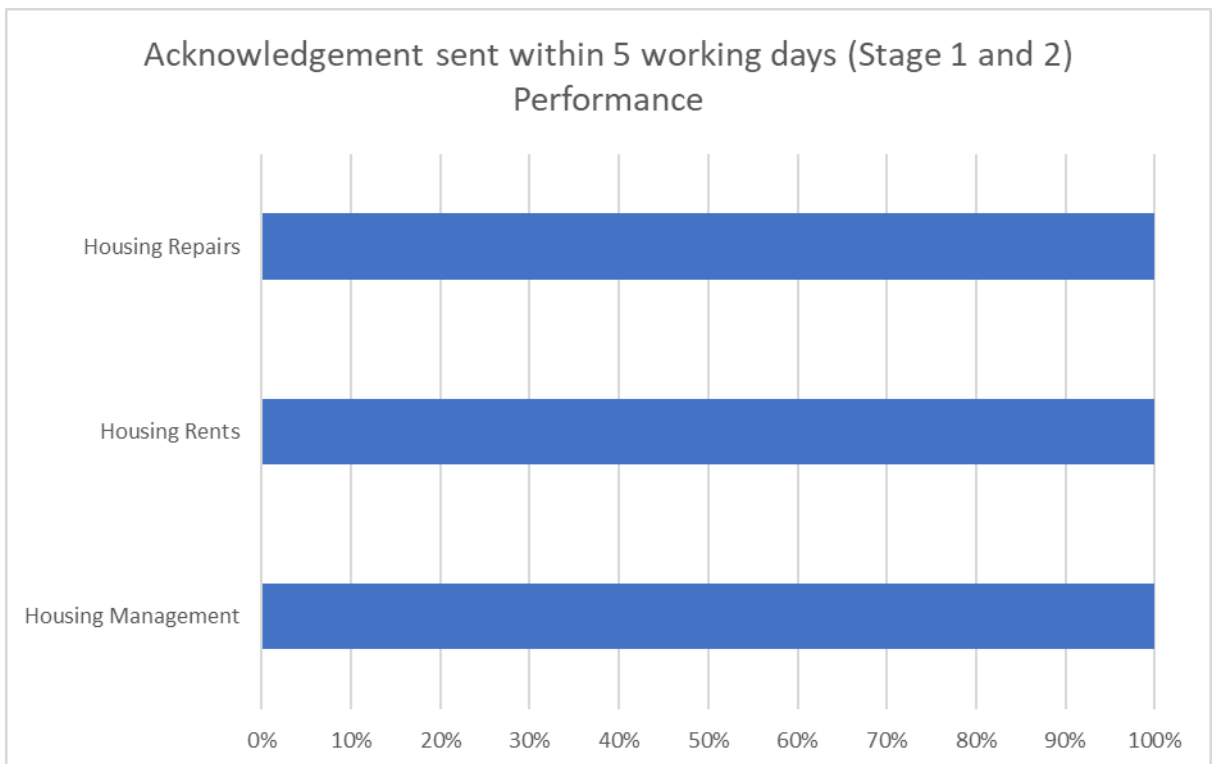
Reason for Complaints

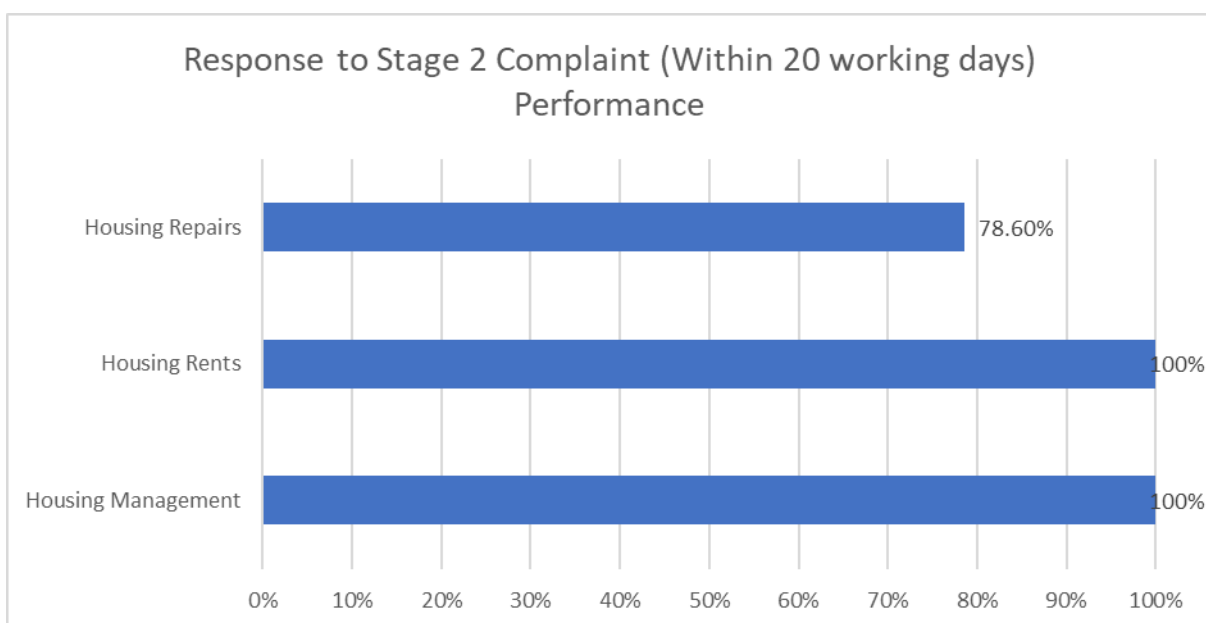
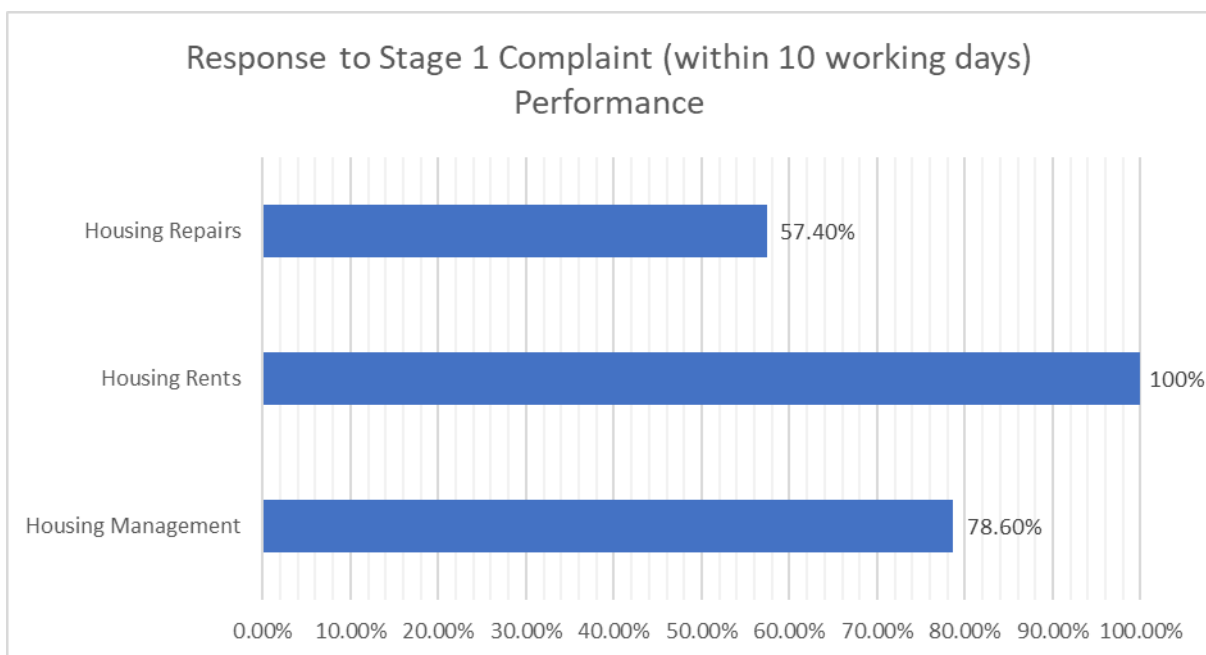
3.8 In respect of the 113 housing related complaints received, we have identified five main reasons for the complaint. The majority of complaints received related to dissatisfaction with the service provided or works undertaken by the Council with disrepair claims and unreasonable delay being the second and third biggest reasons. That complaints relating to dissatisfaction with the service or works are the main reason for complaints is not unexpected and is consistent with other local authorities.

3.9 The Annual Complaints report to the Governance Committee will go into further detail on any lessons learnt arising from complaints across all Council services.



Complaint Response Times





- 3.10 Where complaints have not been responded to within the time period for each stage in 100% of cases the need for an extension has been advised in accordance with the Council's Complaints Policy.
- 3.11 The Stage 1 response time for Housing Repairs includes a number of complex disrepair cases that enter the complaints system. If these are removed from the figures there is a significant improvement in performance.

Housing Ombudsman 2023/24

- 3.12 For the period 2023/24, none of the complaints received have resulted in a decision from the Housing Ombudsman in respect of Housing Management, Rents or Repairs.

- 3.13 However, the Council has two currently open cases dating from 2023/24 with the Housing Ombudsman, both these cases primarily relate to Housing Repairs, although Housing Management and Corporate Services also have involvement. Once a decision on these cases has been reached by the Housing Ombudsman it will be reported to Members as part of the Annual Complaints report covering all services (not just housing).

4. Looking to the Future – Changes to Better Manage the Complaints Process

- 4.1 There are a number of on-going activities intended to improve how the Council reports on complaints for the future. These include:

Improving Our New In-House Complaint Management System

- 4.2 In January 2024 the Council implemented a new in-house complaint management system that streamlines the complaint-handling process, provides for complaints data to be held in a single location and enables better reporting on data. There is further on-going work following the implementation of the complaints management system to deliver robust and effective data analysis.

- 4.3 This will see the end of reliance on excel documents that were used in the previous complaints processes prior to January 2024.

Improving Data Quality on Complaint Categories

- 4.4 As part of the new Complaints Management System, the Council will review the categorisation of complaints to ensure they reflect the range of complaints received and to improve data insight and learning. This should also improve the quality of the data that can be provided to Members and Management.

Monitoring and Reporting

- 4.5 The Council has established reporting arrangements for Members to the Governance Committee, Cabinet and Overview and Scrutiny Committee. This sees an Annual Complaints report go to the Governance Committee each year in the third quarter and quarterly statistics on Stage 2 performance provided to Cabinet and Overview and Scrutiny Committee.

- 4.6 Following the appointment of the Portfolio Holder for Finance, Governance, Climate Change and Environment as the Member Responsible for Complaints, there will be discussions held as to how the Council should report on complaints during the municipal year 2024/25. This will include the continuation of quarterly complaints reporting to Cabinet although this may be in a different form from that undertaken currently.

- 4.7 The Council remains committed to further strengthen opportunities for learning and service improvement through review and self-assessment.

Response on behalf of the Cabinet to the Annual Complaints Performance and Service Improvement Report

Councillor S B Blair, Portfolio Holder for Finance, Governance, Climate Change and Environment:

“The first Strategic Priority of the Council’s Corporate Plan is ‘Improving our Housing’ and the Cabinet is committed to delivering on that objective. As part of this, the Council will

- Drive continuous improvement of our housing services in line with legislative reform.
- Undertake refurbishments and improving the energy efficiency of our existing Council housing to at least decent home standard, as resources allow.
- Carry out a stock condition survey and developing a new Housing Revenue Account (HRA) Business Plan framework for long-term strategic planning, maintenance, maximising rental income, and investment in and increasing our housing stock.
- Proactively manage our neighbourhoods and supporting our tenants through community engagement, community safety initiatives, regulation, and enforcement.

As a Cabinet we are committed to providing good quality housing and how we respond to and learn from complaints is an important part of that objective.

As the designated Member Responsible for Complaints (MRC), I fully support and adopt the Housing Ombudsman’s revised complaint handling code and I am committed to high quality complaint handling. As the MRC, I will work with the Head of Corporate Services and Democracy to ensure that we as a Cabinet we continue to receive regular information and updates on complaints, in particular, what they tell us about our services, what we have learnt from them and what we have done to put things right.

As an organisation it is important that we learn from all complaints and use this information to drive service improvements across the Council.”

Appendix A: Self-assessment form

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

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

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

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

Section 1: Definition of a complaint

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|--|--|
| 1.2 | A complaint must be defined as: <i>‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.’</i> | Yes | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) "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" | The Council currently states "organisation" (i.e. the Council) rather than "landlord" (which is still the Council) in its Complaints Policy but is otherwise identical. This makes no material difference to the effect of the Complaints Policy. However, as part of an update to the Complaints Policy being submitted to Cabinet and Council in July 2024 the full Housing Ombudsman definition of the Council as "landlord" will be included. |
| 1.3 | A resident does not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make complaint. A complaint that is submitted via a third party or representative must be handled in line with the landlord's complaints | Yes | This is mentioned on the complaint webpage - Comments, Compliments and Complaints (dover.gov.uk) "A complainant does not have to use the word 'complaint' for it to be treated as such. A complaint | In addition to the website, the Council is currently updating its Complaints Policy, and will explicitly reinforce this message that the word complaint does not have to be used for a complaint to be treated as a |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|---|---|
| | policy. | | that is submitted via a third party or representative will still be handled in line with the Council's Complaints Policy.” | <p>complaint. This is currently stated on our website complaints page. This is also made clear to officers of the council as part of our internal complaint guidance.</p> <p>There is no requirement in our current policy for the word complaint to be used for a matter to be treated as such.</p> |
| 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>The Council’s Complaint Policy recognises the difference between a service request and a complaint. This can be found on our website in the Complaints Policy - Comments, Compliments and Complaints (dover.gov.uk)</p> <p>The Council’s complaints system records Service Requests as well as Stage 1 and Stage 2 complaints and the figures for service requests are reported to the Governance Committee on an annual basis.</p> | The Council clearly distinguishes between Complaints and Service Requests in the Complaints Policy. However, while giving the same effect as the Ombudsman’s wording, the Council has in the past used a different wording to explain what constitutes a service request. As part of an update to the Complaints Policy being submitted to Cabinet and Council in July 2024 the Housing Ombudsman definition of a Service Request will be |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|---|---|
| | | | | included. |
| 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 | This can be found on our website in the Complaints Policy - Comments, Compliments and Complaints (dover.gov.uk) | If a resident or their representative makes an expression of dissatisfaction about the response to a Service Request this would be escalated to a Stage 1 complaint. As part of this process, the Council would not stop seeking to address the issues raised in the service request. |
| 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 | <p>The Council tries to inform tenants about the correct channels for complaints and service requests. The Council also provides an article about the complaints process in the newsletter which goes out every 6 months.</p> <p>DDC has information available to tenants and leaseholders on the Council's website including how to escalate a complaint to the Ombudsman.</p> <p>The annual Tenants Satisfaction Survey provides information about how to make a complaint.</p> | <p>The new Complaints Policy being submitted to Cabinet and Council in July 2024 will provide further clarity on this matter as follows:</p> <p>“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 the Council asks for wider feedback about its services, it will also</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|------------------|---------------------|----------|---|
| | | | | provide details of how residents and individuals can make a complaint.” |

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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>Relevant extracts from the Policy:</p> <p>“If the Council takes the decision not to accept a complaint, a detailed explanation will be provided to the complainant setting out the reasons why the matter is not suitable for the complaints process and the right to take the decision to the appropriate Ombudsman. Where the Ombudsman does not agree the Council may be instructed to accept the complaint.”</p> <p>“The complaint handler must:</p> <ul style="list-style-type: none"> • Deal with complaints on their merits. • Act independently and have an open mind. • Take measures to address any actual or |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|---|--|
| | | | | <p>perceived conflict of interest.</p> <ul style="list-style-type: none"> • Consider all information and evidence carefully. • Keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter” |
| 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. • Matters that have previously been considered under the complaints policy. | Yes | <p>This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> <p>There is an error on the version on the website that states 6 months instead of 12 months. This is incorrect and the 12-month period has always been applied in practice. The new Complaints Policy being approved by Cabinet and Council in July 2024 will correct this error.</p> <p>The text on the webpage on our website correctly shows 12 months.</p> | <p>The relevant extract of our Complaints Policy:</p> <p>“The Council must accept a complaint unless there is a valid reason not to do so. Matters falling outside the scope of the complaint's procedure are set out below:</p> <ul style="list-style-type: none"> • Something that the complainant has known about for more than 12 months unless there is good reason for the delay or if there are safeguarding or health and safety issues. • Something that can be |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|--|---|
| | | | | <p>appealed about to a tribunal (such as the Housing Benefit Appeals Service) or go to court about, unless there is a good reason the complainant should not be expected to do so.</p> <ul style="list-style-type: none"> • Where legal proceedings have already started by a Claim Form or Particulars of Claim have been filed at Court. • Something affecting all or most of the people living in the district, such as a complaint regarding the setting of council tax. • Something that has already 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 | Yes | This can be found in the Complaints Policy and procedures on our website - Comments, Compliments and Complaints (dover.gov.uk) | The Council has always accepted complaints referred to it within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|--|---|
| | are good reasons to do so. | | | <p>This was incorrectly stated as 6 months in an earlier update to the Policy, but the website correctly states 12 months and the incorrectly stated 6-month period was never applied.</p> <p>As part of an update to the Complaints Policy being submitted to Cabinet and Council in July 2024 this will be as reconfirmed as 12 months.</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>This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> | <p>The relevant extract of our Complaints Policy:</p> <p>“If the Council takes the decision not to accept a complaint, a detailed explanation will be provided to the complainant setting out the reasons why the matter is not suitable for the complaints process and the right to take the decision to the appropriate Ombudsman. Where the Ombudsman does not agree</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|--|--|
| | | | | the Council may be instructed to accept the complaint.” |
| 2.5 | Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint. | Yes | <p>This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> <p>The relevant extracts of our Complaints Policy:</p> <p>“The Council must accept a complaint unless there is a valid reason not to do so.”</p> <p>“The complaint handler must:</p> <ul style="list-style-type: none"> • Deal with complaints on their merits” | <p>The Council operates on a presumption that a complaint or service request will be accepted unless there is a valid reason not to do so.</p> <p>Each complaint or service request is considered on its own merits giving consideration to the individual circumstances of the complaint.</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>This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> <p>The relevant extract of our Complaints Policy:</p> <p>“Complaints can be made:</p> <ul style="list-style-type: none"> • in writing (letter or email), • using the on-line complaint form • Using the Council's Complaint leaflets (these are available at the Whitfield Reception or can be posted to the resident) • Via the telephone • In person by appointment.” | <p>As part of an update to the Complaints Policy being submitted to Cabinet and Council in July 2024 this will contain a new section on accessibility and awareness mirroring the Joint Complaint Handling Code.</p> <p>An Equality Impact Assessment has been undertaken for the Complaints 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 | Yes | <p>This can be found in the Complaints Policy and procedures on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> | <p>Complaints can be raised with any member of staff. The Council’s customer services team are also trained in how to deal with</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|--|--|
| | appropriate person within the landlord. | | <p>This states that:</p> <p>“Complaints can be made:</p> <ul style="list-style-type: none"> • in writing (letter or email), • using the on-line complaint form • Using the Council's Complaint leaflets (these are available at the Whitfield Reception or can be posted to the resident) • Via the telephone • In person by appointment.” | <p>service requests and complaints as they will be the main point of contact for most residents/individuals.</p> <p>Training provided for all relevant staff on how to recognise and deal with a complaint.</p> <p>Further training will be undertaken following the adoption of the revised Complaints Policy in July 2024.</p> |
| 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 | <p>This can be found in the Complaints Policy and procedures on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> <p>The relevant extract of our Complaints Policy:</p> <p>“Complaints and compliments should be viewed as valuable feedback and, as a 'learning organisation' the Council should endeavour to use the lessons learnt from this feedback to</p> | <p>Additionally, as part of the annual complaints report to the Governance Committee this point is emphasised and in the quarterly performance report which tracks Stage 2 complaints.</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|---|---|
| | | | improve the services we provide.” | |
| 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>This can be found in the Complaints Policy and procedures on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> <p>Details are also available on the housing section of our website: Complaints about the Housing Management Service (dover.gov.uk)</p> | The Council seeks to inform residents about the correct channels for complaints and service requests and the Council has an article about the complaints process in the newsletter which goes out every 6 months. |
| 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 | This can be found in the Complaints Policy and procedures on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The Council provides details on the Complaints Policy and process within the biannual newsletters and have extensive information available on the website, including how to escalate to the Ombudsman, and publishing this self-assessment form.</p> <p>The Council further aims to provide posters with information about how tenants can raise service requests and complaints</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|--|--|
| | | | | with the Council during an upcoming review of notice boards across the district. |
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The Council will seek to establish that consent has been given by the resident to their representative and once established will deal with the resident's representative.</p> <p>A resident can be accompanied by their representative at any meeting.</p> |
| 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 can be found on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> <p>The Council will provide the details for contacting the Ombudsman in all Stage 2 responses and at any stage in the process upon request. Additionally, the contact details for the Ombudsman are on the Council's website page for comments, compliments and complaints.</p> | <p>The Council has information available to tenants and leaseholders on the Council's website and in biannual newsletters, including how to escalate a complaint to the Ombudsman.</p> <p>Residents are made aware of this option although they are encouraged to go through the Council's complaints process first as</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|------------------|---------------------|----------|---|
| | | | | their issues can often be resolved at the initial point of contact. |

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 | This can be found on our website - Comments, Compliments and Complaints (dover.gov.uk) | A member of the Corporate Services team fulfils the role of complaints officer. Other members of the team provide support as required. |
| 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 Corporate Services Officer has access to all levels of the Council officer corps, including the Chief Executive. Additionally, they have similar access to Council's elected leadership if required. | The Corporate Services Officer can additionally call upon the support of the Head of Corporate Services and Democracy and the Strategic Director (Corporate and Regulatory) if needed. |
| 4.3 | Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and must be resourced to handle complaints effectively | Yes | The current Corporate Services team are all suitably trained and experienced in the complaint procedure and complaints handling. | Regular refreshes of knowledge are encouraged, and training will be undertaken as required. If any deficiency or an improvement opportunity for staff development is identified, then training will be provided. |

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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | The Council has a single Complaints Policy that deals with the Joint Complaint Handling Code for both Ombudsmen. Residents will never be treated differently if they choose to raise a complaint. The Council views complaints as an opportunity for service improvement. |
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | The Council operates a two stage complaints process in line with the provisions of the Joint Complaints Handling Code. There are no additional named stages or informal stages. |
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | The Council operates a two stage complaints process in line with the provisions of the Joint Complaints Handling Code. |
| 5.4 | Where a landlord's complaint response is handled by a third party (e.g. a | Yes | This can be found in the Complaints Policy on our website | Where a contractor operating on behalf of the |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|--|---|
| | 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. | | - Comments, Compliments and Complaints (dover.gov.uk) | Council deals with Stage 1 complaints, these will automatically progress to Stage 2 if they are not resolved. Residents are not expected to go through two complaints processes. |
| 5.5 | Landlords are responsible for ensuring that any third parties handle complaints in line with the Code. | Yes | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | Any complaint response that is handled by a third party remains under the scope of our Complaints Policy and therefore in line with the requirements of the Ombudsman Joint Complaint Handling Code. |
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | All response letters sent out to residents who have raised a complaint will include a full breakdown of the landlords understanding of the complaint and the outcome the resident is seeking. In cases where this information is not known the resident will be contacted for further clarification |
| 5.7 | When a complaint is acknowledged at either stage, landlords must be clear | Yes | This can be found in the Complaints Policy on our website | In the event that an aspect of the complaint raised is not |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|---|---|
| | which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear. | | - Comments, Compliments and Complaints (dover.gov.uk) | part of the Council's responsibility and therefore, outside of the Complaints Policy, the response will advise this and wherever possible direct the resident/individual to the appropriate body that has responsibility. |
| 5.8 | At each stage of the complaints process, complaint handlers must: <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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | The relevant section from the complaint policy is as follows: "The complaint handler must: <ul style="list-style-type: none"> • Deal with complaints on their merits. • Act independently and have an open mind. • Take measures to address any actual or perceived conflict of interest. • Consider all information and evidence carefully. • Keep the complaint confidential as far as possible, with information only disclosed if |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|---|--|
| | | | | <p>necessary to properly investigate the matter.”</p> <p>Complaints are usually responded to by Managers or Heads of Service who have the skills and experience necessary to meet the requirements of code provision 5.8.</p> <p>Additional internal training will be provided following the adoption of the revised Complaints Policy in July 2024.</p> |
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The Complaints Policy states:</p> <p>“Where extra time is required, the customer will be kept informed. This should not exceed a further 10 working days without good reason.”</p> |
| 5.10 | Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any | Yes | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | All officers have undergone equalities training as part of the induction process. Records of any reasonable |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|--|--|
| | 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. | | | <p>adjustments are kept.</p> <p>Reasonable adjustments are made as required to meet the resident/individual's needs in accordance with the Equality Act 2010.</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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>Wherever possible the Council will accept a request to escalate a complaint. The Council will never refuse to escalate a complaint without providing a valid reason to do so as per the exclusions section of the Joint Complaint Handling Code. A decision not to escalate a complaint would also require the agreement of the Head of Corporate Services and Democracy.</p> <p>If the Council were to refuse to escalate a complaint to Stage 2, it would provide the resident/individual with a written explanation that clearly set out the reasons for refusal in line with Section 2 of the Joint</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|--|--|
| | | | | Complaint Handling Code. |
| 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 | In-House Complaints System | The Council has a dedicated complaints system that records the progress of complaints and outcomes at each stage of the process. This also captures all correspondence, documentation, etc. on the matter. |
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | The Council actively encourages resolving complaints at any stage of the complaints process. |
| 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 Council has corporate guidance for dealing with vexatious, unreasonably persistent and abusive customers in respect of the complaints process. Additionally, the Council is preparing an Unacceptable Behaviour Policy specifically in relation to tenants. | The Council's corporate guidance for dealing with vexatious, unreasonably persistent and abusive customers will be reviewed during the second half of 2024. Where arrangements are put in place under the complaints process these are reviewed at six monthly intervals. |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|---|---|
| 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>Council Complaints Policy</p> <p>Corporate - Approved Guidelines for Dealing with Vexatious, Unreasonably Persistent or Abusive Customers</p> <p>Housing – Managing Unacceptable Behaviour Policy</p> <p>Housing - Vulnerable Tenant Policy, which is considered alongside any action.</p> <p>Equality Impact Assessments are undertaken in respect of all policies.</p> | The Council considers the provisions of the Equality Act 2010 when placing any restrictions in place. |

Section 6: Complaints Stages

Stage 1

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|---|---|
| 6.1 | Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident. | Yes | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | The Council actively encourages resolving complaints at any stage of the complaints process having regard to the complexity of the case and whether the resident is vulnerable or at risk. |
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | The Complaints Policy states: “When a complaint is received by the Corporate Services Team it is acknowledged within 5 working days maximum, usually within 2 working days, and the complainant is advised of the process involved.” |
| 6.3 | Landlords must issue a full response to stage 1 complaints <u>within 10 working</u> | Yes | This can be found in the Complaints Policy on our website | The Complaints Policy states: |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|---|--|
| | days of the complaint being acknowledged. | | <p>- Comments, Compliments and Complaints (dover.gov.uk)</p> <p>Template Acknowledgement letter for requests for Stage 1 complaints.</p> | <p>“The complaint is referred to the Service Manager, or a member of their team, who has 10 working days in which to respond to the customer.”</p> |
| 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>This can be found in the Complaints Policy on our website</p> <p>- Comments, Compliments and Complaints (dover.gov.uk)</p> | <p>The Complaints Policy states:</p> <p>“Where extra time is required, the customer will be kept informed. This should not exceed a further 10 working days without good reason.</p> <ul style="list-style-type: none"> • A good reason in this situation could include, but is not limited to, where information is required from third parties, where a matter is particularly complex, or where further time is required to complete the investigation.” <p>The Complaints Policy outlines all guidance on extensions at Stage 1. It</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|--|---|
| | | | | highlights that although extensions are at the discretion of the Council, they cannot exceed 10 working days without good reason. |
| 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 | <p>This can be found in the Complaints Policy procedure on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> <p>It will also form part of the new Complaints Policy being adopted in July 2024.</p> | <p>The Council has always provided the contact details of the Ombudsman when requested by a resident/individual regardless of the stage of the complaint. These contact details are also clearly set out on the Council's website in the complaint section.</p> <p>The need to provide the Ombudsman's contact details when informing that an extension is required was not part of our Complaints Policy prior to the new Joint Complaint Handling Code in April 2024.</p> <p>It will be included following the adoption of the revised Complaints Policy by Cabinet and Council in July</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|--|--|
| | | | | 2024 and officers will be reminded of the importance of providing the Ombudsman's contact details whenever an extension is required. As part of this proforma wording is being developed for officers to use. |
| 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 | <p>This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> <p>The Complaints Policy states:</p> <p>“A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the customer and whether there are any urgent actions required.”</p> | <p>The response is sent to the resident when the answer to complaint is known.</p> <p>If there should be any outstanding actions, these will be listed within the written response with target/arranged dates. The service responsible for delivering the actions is responsible for tracking these actions until they are completed and providing the resident/individual with any updates.</p> |
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The Complaint's Policy states:</p> <p>“A clear explanation will be provided as to why decisions</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|---|---|
| | | | | <p>have been made and should include any legal obligations where applicable.</p> <p>The response to the complaint must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.”</p> |
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The Complaint’s Policy states:</p> <p>“Where the customer raises additional issues during the investigation, these should be incorporated into the investigation and response if they are relevant, and the response has not yet been finalised/issued. Where the response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.”</p> |
| 6.9 | Landlords must confirm the following in writing to the resident at the completion | Yes | This can be found in the Complaints Policy on our website | The Complaints Policy states: |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|---|---|
| | <p>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. | | <p>- Comments, Compliments and Complaints (dover.gov.uk)</p> <p>All responses will state the complaint reference number and the complaint stage.</p> | <p>“At completion of each stage, the officer must confirm the following in writing to the customer:</p> <ul style="list-style-type: none"> • Details of any remedies • Details of any outstanding actions • Details of how to escalate the complaint if the customer is not satisfied with the answer. <p>A clear explanation will be provided as to why decisions have been made and should include any legal obligations where applicable.</p> <p>The response to the complaint must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.”</p> <p>This will also be reinforced by training following the adoption of the revised Complaints Policy by</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|------------------|------------------|----------|-----------------------------------|
| | | | | Cabinet and Council in July 2024. |

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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | The Complaints Policy states: "If a complainant requests that their complaint be investigated further or if a complaint comes to Corporate Services that has already been considered by the Service Manager as a stage 1 complaint, it will be dealt with at stage 2 of the complaint's procedure." |
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | The Complaints Policy states: "When a complaint is received by the Corporate Services Team it is acknowledged within 5 working days maximum, usually within 2 working days, and the complainant is |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|--|--|
| | | | | advised of the process involved.” |
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The Complaints Policy does not require that residents/individuals provide reasoning for their request of an escalation to stage 2.</p> <p>Where necessary the Council will seek additional information as to why the resident was not satisfied with the Stage 1 response in order to improve our understanding and better deal with the complaint. It is not a prerequisite of a Stage 2 response.</p> |
| 6.13 | The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1. | Yes | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>Stage 1 complaints are responded to by the relevant department. Stage 2 responses are provided by a member of the Corporate Services team.</p> <p>The Complaints Policy states:</p> <p>“The complaint will be considered by a member of</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|--|--|
| | | | | staff from Corporate Services team.” |
| 6.14 | Landlords must issue a final response to the stage 2 <u>within 20 working days</u> of the complaint being acknowledged. | Yes | <p>This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> <p>Template Acknowledgement letter for requests for Stage 2 review states that a response will be provided within 20 working days.</p> | <p>The Complaints Policy states:</p> <p>“The complainant will be provided with a timescale of how long the investigation will take. This would normally be up to 20 working days, but the complainant should be kept advised of progress.”</p> <p>The revised Complaints Policy by Cabinet and Council in July 2024 will for clarity use the exact wording used in the Joint Complaint Handling Code, but this will make no difference to the application as 20 working days is the standard maximum response time for Stage 2 complaints.</p> |
| 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. | Yes | This can be found in the Complaints Policy procedure on our website - Comments, Compliments and Complaints (dover.gov.uk) | The Council’s Complaint Policy outlines all guidance on extensions at Stage 2. As with Stage 1 complaints it cannot be extended without |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|--|---|
| | Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident. | | | good reason, and this must be clearly explained to the resident/individual. |
| 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 | This can be found in the Complaints Policy procedure on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The Council has always provided the contact details of the Ombudsman when requested by a resident/individual regardless of the stage of the complaint. These details are also clearly set out on the Council's website.</p> <p>The need to provide the Ombudsman's contact details when informing that an extension is required will also be reinforced by training following the adoption of the revised Complaints Policy by Cabinet and Council in July 2024.</p> |
| 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 | Yes | <p>This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> <p>The Complaints Policy states:</p> | <p>The response is sent to the resident when the answer to complaint is known.</p> <p>If there should be any outstanding actions, these</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|--|---|
| | actioned promptly with appropriate updates provided to the resident. | | “A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the customer and whether there are any urgent actions required.” | will be listed within the written response with target/arranged dates. The service responsible for delivering the actions is responsible for tracking these actions until they are completed and providing the resident/individual with any updates. |
| 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. | | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The Complaint’s Policy states:</p> <p>“A clear explanation will be provided as to why decisions have been made and should include any legal obligations where applicable.</p> <p>The response to the complaint must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.”</p> |
| 6.19 | Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language: | Yes | This can be found in the Complaints Policy on our website - Comments, Compliments and | The Complaints Policy states: |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|--|---|
| | <p>a. the complaint stage;</p> <p>b. the complaint definition;</p> <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; and</p> <p>g. details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.</p> | | <p>Complaints (dover.gov.uk)</p> <p>All responses will state the complaint reference number and the complaint stage.</p> | <p>“At completion of each stage, the officer must confirm the following in writing to the customer:</p> <ul style="list-style-type: none"> • Details of any remedies • Details of any outstanding actions • Details of how to escalate the complaint if the customer is not satisfied with the answer. <p>A clear explanation will be provided as to why decisions have been made and should include any legal obligations where applicable.</p> <p>The response to the complaint must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.”</p> <p>This will also be reinforced by training following the adoption of the revised Complaints Policy by Cabinet and Council in July</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|--|--|
| | | | | 2024. |
| 6.20 | Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response. | Yes | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The complaints officer has access to all staff across the Council and will ensure that all suitable staff members needed to issue the response are involved.</p> <p>The Council operates a two stage complaints process as required by the Joint Complaint Handling Code and consequently any stage 2 response sent to a resident is considered to be the final response.</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; • 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. | Yes | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The Complaints Policy states:</p> <p>“A remedy is the means by which we put things right for the complainant. Where an officer identifies that the Council has done something wrong, or not done something it should have done, officers need to consider each complaint on a case-by-case basis and respond as follows:</p> <ul style="list-style-type: none"> • acknowledge what has gone wrong • set out the proposed actions or actions already taken to put things right and the timescale in which they will be done • any remedy must reflect the extent of any service failure and the level of detriment caused to the customer as a result • consideration should be given to the impact of the action or behaviour of the |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|--|---|
| | | | | <p>customer as well as the actions of the Council</p> <ul style="list-style-type: none"> • the Council must not promise anything that cannot be delivered or would cause unfairness to other residents • what lessons need to be learnt or service improvements to prevent it happening again” |
| 7.2 | Any remedy offered must reflect the impact on the resident as a result of any fault identified. | Yes | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The Complaints Policy states:</p> <p>“The Council aims to put the complainant back into the position they would have been had the error not occurred.”</p> <p>The Council will always try to ensure any remedy offered reflects the impact on the resident. The Council will, wherever possible, attempt to identify the remedy that the resident/individual is seeking.</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|--|--|
| 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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>When the Council responds to residents/individuals it will clearly set out what actions it is intending to take as part of any remedy.</p> <p>This will include the timescales of any actions. Where appropriate, appointments, repairs, etc. will be made in agreement with the resident/individual and all remedies will be monitored to ensure completion.</p> |
| 7.4 | Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies. | Yes | | Dover District Council is committed to providing the best complaints handling that it can for its residents or individuals. Accordingly, the Council will always consider guidance issued by the Ombudsman when deciding upon appropriate remedies. |

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> <p>a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements.</p> <p>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;</p> <p>c. any findings of non-compliance with this Code by the Ombudsman;</p> <p>d. the service improvements made as a result of the learning from complaints;</p> <p>e. any annual report about the landlord's performance from the Ombudsman; and</p> <p>f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.</p> | Yes | <p>The Annual Self-Assessment is published on our website - Comments, Compliments and Complaints (dover.gov.uk)</p> | <p>This information is contained within the report to be received by the Governance Committee at its meeting held on 27 June 2024.</p> <p>The Council's Constitution assigns responsibility to the Governance Committee for the following:</p> <p>"To monitor complaints handling and Ombudsman investigations"</p> <p>The Governance Committee receives an Annual Complaints Report each year.</p> |
| 8.2 | The annual complaints performance and service improvement report must be | Yes | The Annual Self-Assessment is published on our website - | The Council's response will be published on our |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|---|--|
| | 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. | | Comments, Compliments and Complaints (dover.gov.uk) | complaints section of our website. |
| 8.3 | Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures. | Yes | Response to Self-Assessment 2024 | The Council is not currently undertaking any significant restructure, merger and/or change in procedures. However, were it to do so it would carry out a self-assessment. |
| 8.4 | Landlords may be asked to review and update the self-assessment following an Ombudsman investigation. | Yes | Response to Self-Assessment 2024 | If the Ombudsman asks the Council to review and update its self-assessment following an investigation it will do so. |
| 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 | Response to Self-Assessment 2024 | In the event that an exceptional circumstance occur that meant that the Council was unable to comply with the provisions of its Complaints Policy and the Joint Complaint Handling Code, the Council would inform the Housing Ombudsman and the affected complainants. |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|------------------|------------------|----------|---|
| | | | | Assuming that the Council's website was operational in such an incident the Council would publish timescales for returning to compliance with the Code. |

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 | This can be found in the Complaints Policy on our website - Comments, Compliments and Complaints (dover.gov.uk) | <p>The Complaints Policy states:</p> <p>“Dover District Council aims to continually improve customer services and the effectiveness of the way we interact. Staff are empowered to deliver services to the public without constant reference to a line management structure. The Council has a complaint procedure, which is set out in this document, and staff are encouraged to take ownership of complaints and be equipped to resolve them at the earliest possible opportunity. Complaints and compliments should be viewed as valuable feedback and, as a 'learning organisation' the Council should endeavour to use the lessons learnt from this feedback to improve the services we provide.”</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|---|--|
| 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 | | <p>The Council recognises the positive impact complaints have on service delivery.</p> <p>Heads of Service and Managers are encouraged to view complaints as learning opportunities and utilise them as a source of intelligence to assist in the introduction of positive changes in service delivery.</p> |
| 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 | <p>Annual Complaints Report – this goes to the Council's Governance Committee</p> <p>Strategic Performance Dashboard – this goes to Cabinet and Overview and Scrutiny.</p> <p>All Housing policies are reviewed by the Tenants' Consultative Group.</p> | <p>The Council reports quarterly to Cabinet and Overview and Scrutiny on complaints through the Strategic Performance Dashboard.</p> <p>The Annual Report submitted to the Governance Committee supports the monitoring of complaints handling.</p> <p>Monthly meetings take place of the Tenants' Consultative Group, at which housing policies are reviewed.</p> |
| 9.4 | Landlords must appoint a suitably senior | Yes | Self-Assessment 2024 | The Head of Corporate |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|---|---|
| | 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>Services and Democracy has overall accountability for the Council’s complaints process, reporting directly to the Strategic Director (Corporate and Regulatory).</p> <p>The corporate services team in conjunction with the Housing teams can assesses any themes or trends to identify potential issues.</p> <p>Where potential systemic issues, serious issues/risks or revisions to policies and procedures are identified these will be reported to the relevant Head of Service to deal with.</p> |
| 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 | <p>Decision Notice to Appoint an MRC – June 2024 Councillors and Elections (dover.gov.uk)</p> <p>Council Constitution</p> | Currently, the Governance Committee has Constitutional responsibility for the monitoring of complaints. This will continue in conjunction with the governing body in recognition that it provides a wider overview of the |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|--|------------------|------------------------------|--|
| | | | | <p>Council's complaints.</p> <p>In recognition of the fact that Housing is a primarily executive function, the Cabinet will be designated as the governing body.</p> <p>The MRC has been designated as the Portfolio Holder for Finance, Governance, Climate Change and Environment. They will work closely with the Portfolio Holder for Housing, Skills and Education.</p> |
| 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 | Council Constitution | The MRC will through the Strategic Director (Corporate and Regulatory) and the Head of Corporate Services and Democracy have access to suitable information and staff dealing with the Council's complaint handling performance to ensure that the Governance Committee receives the information that it needs. |
| 9.7 | As a minimum, the MRC and the | Yes | The Council had already been | The Council's Annual |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|---|--|
| | <p>governing body (or equivalent) must receive:</p> <ul style="list-style-type: none"> 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 related to severe maladministration findings; and d. annual complaints performance and service improvement report. | | <p>providing an Annual Complaints Report to the Governance Committee that contained much of this information.</p> <p>Quarterly Strategic Dashboard Report</p> | <p>Complaint Report 2023-24 will incorporate all the required elements of this Joint Code provision.</p> <p>The Leader of the Council has appointed an MRC and the Head of Corporate Services and Democracy will be working with them on the best method of delivering this information to the MRC and the governing body.</p> <p>The self-assessment will be updated to reflect this measure following the publication of the Annual Complaints Report.</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"> a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments; b. take collective responsibility for any shortfalls identified through complaints, rather than blaming others; | Yes | <p>A monthly complaints meeting is held between the housing team and corporate services to discuss complaints and identify lessons that can be learnt.</p> | <p>Dover District Council encourages services to work collaboratively with each other. This is vital in responding to complaints as these may require a response from a number of different sections within the Council.</p> <p>The Council has traditionally</p> |

| Code provision | Code requirement | Comply: Yes / No | Evidence | Commentary / explanation |
|----------------|---|------------------|----------|---|
| | <p>and</p> <p>c. act within the professional standards for engaging with complaints as set by any relevant professional body.</p> | | | <p>emphasised collective responsibility and does not promote a blame culture. Where shortfalls are identified, the Council's officers will take responsibility and seek to resolve the complaint.</p> <p>The Council is committed to acting within the professional standards for engaging with complaints as set out by the appropriate Ombudsman.</p> |