

Dover District Council – Complaint Handling Self-Assessment Form

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

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

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

Section 1 - Definition of a complaint

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.2	A complaint must be defined as: <i>'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.'</i>	Yes	Similar wording was used in our internal complaint's manual. We have now incorporated the specified wording and in addition, a new draft complaints policy with this wording will be submitted to Members for approval in mid-2022.
1.3	The resident does not have to use the word 'complaint' for it to be treated as such. A complaint that is submitted via a third party or representative must still be handled in line with the landlord's complaints policy.	Yes	Any dissatisfaction with the provision of a district council service is a complaint. This is set out in our internal complaints manual and in the draft complaints policy.
1.6	... if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.	Yes	This forms part of our procedures.
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	This is within the draft complaints policy.

1.8	A complaints policy must clearly set out the circumstances in which a matter will not be considered, and these circumstances should be fair and reasonable to residents.	Yes	This is set out in our internal complaints manual and in the draft complaints policy.
1.9	If a landlord decides not to accept a complaint, a detailed explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.	Yes	This is set out in our internal complaints manual and in the draft complaints policy.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.4	Landlords should recognise the difference between a service request , where a resident may be unhappy with a situation that they wish to have rectified, and a complaint about the service they have/have not received.	Yes	This is set out in our internal complaints manual and in the draft complaints policy.
1.5	Survey feedback may not necessarily need to be treated as a complaint, though, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to.	Yes	When the Council receives feedback from tenant satisfaction surveys and the transactional satisfaction surveys, they are dealt with as a service enquiry, rather than a complaint, where possible. However, where a matter cannot be resolved it will be treated as a complaint and referred to the complaints process.

Section 2 - Accessibility and awareness

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.1	Landlords must make it easy for residents to complain by providing different channels through which residents can make a complaint such as in person, over the telephone, in writing, by email and digitally. While the Ombudsman recognises that it may not be feasible for a landlord to use all of the potential channels, there must be more than one route of access into the complaints system.	Yes	We currently provide residents with the ability to make complaints in person, by telephone, in writing, by email or through the Council's website. This is set out in our internal complaints manual and in the draft complaints policy.
2.3	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the number of stages involved, what will happen at each stage and the timeframes for responding.	Yes	These procedures are already set out on the Council's website and our complaints leaflet. This is also in our draft complaints policy.
2.4	Landlord websites, if they exist, must include information on how to raise a complaint. The complaints policy and process must be easy to find on the website.	Yes	Complaints about the Housing Management Service (dover.gov.uk)
2.5	Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs. Landlords must satisfy themselves that their policy sets out how they will respond to reasonable adjustments requests in line with the Equality Act and that complaints handlers have had appropriate training to deal with such requests.	Yes	All corporate services officers have undergone equalities training. Reasonable adjustments are made as required to meet the residents needs.
2.6	Landlords must publicise the complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme in leaflets, posters, newsletters, online and as part of regular correspondence with residents.	Yes	Housing include articles about complaints, how to make them and what we learn from them in our newsletters and web site. The annual report includes items about complaints.

2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	This is on the Council's website, in tenant newsletters and our complaints leaflet.
2.8	Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted.	Yes	Residents are made aware of this option, though are encouraged to go through the Council's complaints process first as their issues can often be resolved more quickly. The contact details of the ombudsman are on our website, complaints leaflet and provided on request.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
2.2	Where a landlord has set up channels to communicate with its residents via social media, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.	N/A	DDC has not set up social media channels for dealing with complaints.

Section 3 - Complaint handling personnel

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.1	Landlords must have a person or team assigned to take responsibility for complaint handling to ensure complaints receive the necessary attention, and that these are reported to the governing body. This Code will refer to that person or team as the "complaints officer".	Yes	We refer to a Corporate Services Officer (Complaints) (CSOC) in our internal manual and draft policy.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	The current postholder has many years' experience and will refer a complaint to another member of staff where appropriate

Best practice ‘should’ requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
3.3	<p>Complaint handlers should:</p> <ul style="list-style-type: none"> • be able to act sensitively and fairly • be trained to handle complaints and deal with distressed and upset residents • have access to staff at all levels to facilitate quick resolution of complaints • have the authority and autonomy to act to resolve disputes quickly and fairly. 	Yes	<p>The CSOC has access to staff at all levels including Corporate Management Team.</p> <p>The CSOC is an experienced officer with an understanding of all aspects of the complaint process and conflict resolution.</p>

Section 4 - Complaint handling principles**Mandatory ‘must’ requirements**

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.1	<p>Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord’s audit trail/records should be able to demonstrate this. Landlords must ensure that efforts to resolve a resident’s concerns do not obstruct access to the complaints procedure or result in any unreasonable delay. It is not appropriate to have extra named stages (such as ‘stage 0’ or ‘pre-complaint stage’) as this causes unnecessary confusion for residents. When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure within five days of receipt.</p>	Yes	<p>There is no pre-complaint process however, services are encouraged to resolve issues before they become complaints wherever possible.</p> <p>Our internal procedures and draft policy require us to acknowledge a complaint within five working days, but it is usually acknowledged within two working days.</p>

4.2	Within the complaint acknowledgement, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	Yes	The housing online feedback form asks the complainant to explain what their complaint is about and what they would like to see done about it. The template stage 1 response used by Housing sets out at the start what we believe the complaint is about. Clarification will be sought where appropriate.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	
4.7	<p>The complaint handler must:</p> <ul style="list-style-type: none"> • deal with complaints on their merits • act independently and have an open mind • take measures to address any actual or perceived conflict of interest • consider all information and evidence carefully • keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter. 	Yes	This is included within the Council's draft complaints Policy
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	The Council would always try to adhere to reasonable requests where agreed with residents in terms of frequency and method of communication, including any reasonable adjustments required by our equalities policy.
4.12	<p>The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:</p> <ul style="list-style-type: none"> • set out their position • comment on any adverse findings before a final decision is made. 	Yes	This is part of the complaint investigation process.
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	No	There is currently no timescale for residents to request an escalation of their complaint, but this will be reviewed and incorporated

			into the Council's documentation
4.14	A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action. Reasons for declining to escalate a complaint must be clearly set out in a landlord's complaints policy and must be the same as the reasons for not accepting a complaint.	Yes	These procedures are already set out on the Council's website and our complaints leaflet. This is also in our draft complaints policy.
4.15	A full record must be kept of the complaint, any review and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.	Yes	These are kept in accordance with our retention schedule.
4.18	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.	Yes	There is corporate guidance for officers for dealing with unacceptable behaviour.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic	Yes	The complaint handler would be expected to manage residents' expectations and the Council's documentation will be updated to reflect this.
4.4	A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the resident and whether there are any urgent actions required.	Yes	This is set out in our internal complaints manual and in the draft complaints policy.
4.5	Landlords should give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord where this is reasonable.	Yes	Subject to the residents giving their authority to a representative to deal with their complaint.

4.8	Where a key issue of a complaint relates to the parties' legal obligations landlords should clearly set out their understanding of the obligations of both parties.	Yes	The Council would expect the legal obligations to be set out within the response and this will be incorporated within the Council's documentation.
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4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	Staff and contractors are not generally identified unless they have been involved directly with the complainant. The Council's documentation will be amended to reflect this.
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	The Council would expect the resident to be kept informed and the Council's documentation will be amended to reflect this.
4.16	Landlords should seek feedback from residents in relation to the landlord's complaint handling as part of the drive to encourage a positive complaint and learning culture.	Yes	With regard to housing complaints, the Council is to introduce transactional satisfaction testing for complaints and will use this to help us improve our services. We already provide a learning from complaints section on our web pages and will include this in our newsletters.
4.17	Landlords should recognise the impact that being complained about can have on future service delivery. Landlords should ensure that staff are supported and engaged in the complaints process, including the learning that can be gained	Yes	Housing to arrange complaint handling training for their front-line staff.
4.19	Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.	Yes	There is corporate guidance for officers for dealing with unacceptable behaviour that has regard to the provisions of the Equality Act 2010.

Section 5 - Complaint stages

Mandatory 'must' requirements

Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.1	Landlords must respond to the complaint <u>within 10 working days</u> of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	This is set out in our internal complaints manual and in the draft complaints policy.
5.5	A complaint response must be sent to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the resident.	Yes	This is set out in our internal complaints manual and in the draft complaints policy.
5.6	Landlords must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	This is set out in our internal complaints manual and in the draft complaints policy.
5.8	Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: <ul style="list-style-type: none"> • the complaint stage • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions • details of how to escalate the matter to stage two if the resident is not satisfied with the answer 	Yes	This is set out in our internal complaints manual and in the draft complaints policy.

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two of the landlord's procedure, unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.	Yes	This is set out in our internal complaints manual and in the draft complaints policy.
5.10	On receipt of the escalation request, landlords must set out their understanding of issues outstanding and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	Yes	This is set out in our internal complaints manual and in the draft complaints policy.
5.11	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.	Yes	This is standard procedure within our policy and set out in our internal complaints manual and in the draft complaints policy.
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	The CSOC considers stage two complaints.
5.13	Landlords must respond to the stage two complaint within 20 working days of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	This is set out in our internal complaints manual and in the draft complaints policy.
5.16	Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language: <ul style="list-style-type: none"> • the complaint stage • the complaint definition • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions <p>and</p> <ul style="list-style-type: none"> • if the landlord has a third stage, details of how to escalate the matter to stage three 	Yes	This is set out in our internal complaints manual and in the draft complaints policy.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
	<ul style="list-style-type: none">if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.		

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.17	Two stage landlord complaint procedures are ideal. This ensures that the complaint process is not unduly long. If landlords strongly believe a third stage is necessary, they must set out their reasons for this as part of their self-assessment. A process with more than three stages is not acceptable under any circumstances.	Yes	<p>The Council operates a two-stage complaints process.</p> <p>There is also the third stage option in respect of housing complaints for the tenant to contact the statutory 'Designated Person' if they are not satisfied with the outcome of the two-stage complaints process. We refer to this as Stage 3 in our guidance. However, this only applies if the tenant chooses to contact the Designated Person as the alternative is for the tenant to wait eight weeks after they have received the Stage 2 response of the Council and then go directly to the Housing Ombudsman.</p> <p>The Designated Person would be expected to be mindful of guidance issued by the Housing Ombudsman on such matters.</p> <p>All other aspects of the Council's complaints process are purely a two-stage process.</p>
5.20	<p>Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language:</p> <ul style="list-style-type: none"> • the complaint stage • the complaint definition • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions • details of how to escalate the matter to the Housing 	Yes	<p>We fully comply with this as part of our complaint's procedure for Stage 2. As part of the Stage 2 response, we clearly set out these points including the Designated Person option or going to the Housing Ombudsman.</p> <p>As mentioned previously, we do not have a Stage 3 other than the use of the Designated Person if the tenant chooses to</p>

	Ombudsman Service if the resident remains dissatisfied		avail themselves of that option. The Designated Person is expected to be mindful of guidance issued by the Housing Ombudsman on such matters and comply with these provisions.
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Best practice 'should' requirements

Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.2	If an extension beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	Yes	The Council's Stage 1 is 10 days, but any extension would be expected to be agreed by both parties.
5.3	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	Yes	The details of the Housing Ombudsman are made available to complaints.
5.4	Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident.	Yes	Officers are expected to take into consideration all relevant information including historic records.
5.7	Where residents raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.	Yes	

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.14	If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	Yes	The Council's Stage 2 is 20 days, but any extension to that would be expected to be agreed by both parties.
5.15	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response	Yes	The details of the Housing Ombudsman are made available to complaints.

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint <u>within 20 working days</u> of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.	Yes	We do not have a Stage 3 other than the use of the Designated Person for housing complaints, assuming the tenant chooses to avail themselves of this option. The Designated Person would be expected to be mindful of guidance issued by the Housing Ombudsman on such matters.
5.19	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	Yes	We do not have a Stage 3 other than the use of the Designated Person for housing complaints (if the tenant chooses to avail themselves of this option). The Designated Person would be expected to be mindful of guidance issued by the Housing Ombudsman on such matters.

Section 6 - Putting things right

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.1	Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right.	Yes	This would be incorporated within the Council's response to the resident.
6.2	Any remedy offered must reflect the extent of any service failures and the level of detriment caused to the resident as a result. A landlord must carefully manage the expectations of residents and not promise anything that cannot be delivered or would cause unfairness to other residents.	Yes	Redress guidance is being incorporated into the internal staff manual. This will be in accordance with the existing guidance issued by the Housing Ombudsman.
6.5	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.	Yes	Redress guidance is being incorporated into the internal staff manual. This will be in accordance with the existing guidance issued by the Housing Ombudsman.
6.6	In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused.	Yes	Redress guidance is being incorporated into the internal staff manual. This will be in accordance with the existing guidance issued by the Housing Ombudsman.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
6.3	Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.	Yes	The Council is committed to learning from complaints. This is set out in our internal complaints manual and in the draft complaints policy.
6.7	In some cases, a resident may have a legal entitlement to redress. The landlord should still offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.	Yes	Legal advice is sort as a matter of course when making any offer of resolution.

Section 7 - Continuous learning and improvement

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.2	Accountability and transparency are integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.	Yes	Housing will be producing their first annual complaints report this year.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.3	A member of the governing body should be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This role will be responsible for ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance.	Yes	The Governance Committee receives an annual report on complaints.
7.4	As a minimum, governing bodies should receive: <ul style="list-style-type: none"> Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders Regular reviews of issues and trends arising from complaint handling, The annual performance report produced by the Ombudsman, where applicable Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge. 	Yes	The Governance Committee receives an annual report on complaints.

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
7.5	Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.	Yes	This will flow from the annual complaints review.
7.6	Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to: <ul style="list-style-type: none"> • have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments • take collective responsibility for any shortfalls identified through complaints rather than blaming others • act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing. 	Yes	The Council would expect complaints to be handled in this manner and the Council's documentation has been updated to explicitly reflect this.

Section 8 - Self-assessment and compliance

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
8.1	Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.	Yes	Details of housing complaints were submitted to the Governance Committee as part of the Annual Complaints Report. This is the first annual self-assessment conducted since the service was brought back in-house and we will undertake them annually from this point forward.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	Self-assessments will be carried out on an annual basis or following any significant restructure and/or change in procedures.

8.3	Following each self-assessment, a landlord must: <ul style="list-style-type: none">• report the outcome of their self-assessment to their governing body. In the case of local authorities, self-assessment outcomes should be reported to elected members• publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents• include the self-assessment in their annual report section on complaints handling performance	Yes	The Council is in the process of doing this following the return of the housing service. The assessment will be incorporated in the Annual Complaints Report and then published annually once it has been agreed by Governance Committee.
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