

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	Housing Complaints Policy page 1 <i>We define a complaint as 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/service user or group of residents/service users.</i>	Comply, however the Housing Complaints Policy includes complaints about all housing services not just landlord services and so the definition has been amended with the emboldened words to account for this.
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 policy.	Yes	Housing Complaints Guidance: The Complaints Officer's Role page 2 and Housing Complaints Guidance: What to do if you receive a complaint page 2 <i>It should be noted that a customer does not have to use the word 'complaint' in order for us to deal with it as such.</i> Housing Complaints Policy page 3 <i>A complaint can be made by anyone using a council service, or anyone affected by any error in our service provision, or by any other person on behalf of an individual (in these cases we must have consent from the individual in writing, unless you are a person legally entitled to act for the person using our services – you can use the form at the end of this policy to do this).</i>	
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	Housing Complaints Policy page 2 <i>Request for service – a routine request for service, such as a request for repair or a request to us to help with a landlord disrepair issue.</i> Housing Complaints Guidance: The Complaints Officer's Role page 2 <i>Is this a service request? Where the</i>	

			<p><i>customer is asking us to do something that we would do as normal business, for example to make a repair. Sometimes the first time a customer lets us know of a problem, it would be treated as 'business as usual' – a 'service request'. However, if we promise action and fail to deliver it, a second contact about the same thing should be dealt with as a complaint. Service requests fall outside of the complaints policy, however, must be recorded, monitored and reviewed regularly until completion.</i></p> <p>The legacy services do record services requests and monitor and review until completion. We are looking to introduce a single system once services are realigned.</p>	
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	<p>Housing Complaints Guidance: What to do if you receive a complaint page 2</p> <p><i>Sometimes a service request can escalate to become a complaint, for example where we have promised action, but have delayed carrying it out, or failed to complete it altogether. In these cases it would be appropriate to escalate to a stage 1 complaint. It is important to note, that a service request can continue even if it has been escalated to a complaint. For example, where a customer has complained that a repair has not been carried out within the timescales we promised, that repair should still be progressed while the complaint runs alongside it.</i></p>	
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	No		<p>Within the TSM questions customers are asked for their satisfaction with the way complaints are handled. Previous surveys have not included details of how to make a complaint, but future surveys will include this.</p>

	feedback about their services, they also must provide details of how residents can complain.			
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Section 2: Exclusions

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
2.1	Landlords must accept a complaint unless there is a valid reason not to do so. If landlords decide not to accept a complaint they must be able to evidence their reasoning. Each complaint must be considered on its own merits	Yes	<p>Examples of exclusions are set out on page 2 of the Housing Complaints Policy. In addition:</p> <p><i>If we decide that your complaint does not fall under this policy, we will write to you to explain why and what your next steps could be. We will also provide details of how to contact the Ombudsman should you wish to do so.</i></p> <p>Housing Complaints Guidance: The Complaints Officer's Role page 2 <i>With all exclusions, there should not be any blanket approach; all individual circumstances must be considered when making this decision.</i></p>	
2.2	<p>A complaints policy must set out the circumstances in which a matter will not be considered as a complaint or escalated, and these circumstances must be fair and reasonable to residents. Acceptable exclusions include:</p> <ul style="list-style-type: none"> • The issue giving rise to the complaint occurred over twelve months ago. • Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been 	Yes	<p>Examples of exclusions are set out on page 2 of the Housing Complaints Policy. In addition:</p> <p><i>If we decide that your complaint does not fall under this policy, we will write to you to explain why and what your next steps could be. We will also provide details of how to contact the Ombudsman should you wish to do so.</i></p> <p>Housing Complaints Guidance: The Complaints Officer's Role page 2 <i>With all exclusions, there should not be any blanket approach; all individual</i></p>	

	<p>filed at court.</p> <ul style="list-style-type: none"> • Matters that have previously been considered under the complaints policy. 		<p><i>circumstances must be considered when making this decision.</i></p>	
2.3	<p>Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.</p>	Yes	<p>Housing Complaints Policy page 2 <i>As time passes it becomes more difficult to investigate events fairly and fully. We therefore ask that complaints are made no later than 12 months after the date you became aware of the problem. However, we understand that there may be reasons why you may not have been able to bring your complaint during that time and if you feel you have good reason please explain them to us and we will consider whether it is appropriate to extend our timescales.</i></p> <p>Housing Complaints Guidance: The Complaints Officer's Role page 2 <i>Is it about something over 12 months old and the complainant has no good reason for not complaining earlier? The Complaints Officer should think about whether discretion should be applied if there is a good reason this has not been brought to us earlier.</i></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>Housing Complaints Policy page 2 <i>If we decide that your complaint does not fall under this policy, we will write to you to explain why and what your next steps could be. We will also provide details of how to contact the Ombudsman should you wish to do so.</i></p> <p>Housing Complaints Guidance: The Complaints Officer's Role page 2 <i>Does it appear on the list of exclusions on page 2 of the Housing Complaints Policy? If so, they should consider the circumstances of the case and if appropriate, reject the case, explaining why and what the</i></p>	

			<p><i>complainant should do now. Also include details of the relevant ombudsman – Housing Ombudsman for anything related to landlord services – Local Government and Social Care Ombudsman for other services. Is it about something over 12 months old and the complainant has no good reason for not complaining earlier? The Complaints Officer should think about whether discretion should be applied if there is a good reason this has not been brought to us earlier. If the decision is to reject they must write to explain why and what next steps may be. Also include details of the relevant ombudsman – Housing Ombudsman for anything related to landlord services – Local Government and Social Care Ombudsman for other services.</i></p>	
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	Yes	<p>Housing Complaints Guidance: The Complaints Officer's Role page 2 <i>With all exclusions, there should not be any blanket approach; all individual circumstances must be considered when making this decision.</i></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>Housing Complaints Policy page 3 <i>Otherwise you can contact us:</i></p> <ul style="list-style-type: none"> • <i>By telephone – call our Customer Service Team on 0300 131 2 131</i> • <i>Online using the form on our website</i> • <i>In writing:</i> <i>North Yorkshire Council</i> <i>County Hall</i> <i>Northallerton</i> <i>North Yorkshire</i> 	

			<p><i>DL7 8AD</i></p> <ul style="list-style-type: none"> <i>In person at one of our public access points – it would be helpful if you could call ahead to make an appointment so that we can make sure an appropriate member of staff will be available for you.</i> <p><i>Although we will accept complaints made via social media, in order to maintain confidentiality and privacy, we will not progress them using this method. We will ask you how else you would like to communicate with us in order for us to investigate and provide a full response.</i></p> <p>Housing Complaints Policy page 4 <i>If you need help to make your complaint, for example an interpreter, or provision of information in different formats please let us know and we will make all reasonable efforts to help you. There is more information on our website.</i></p>	
3.2	Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.	No	<p>Housing Complaints Policy page 3 <i>In the first instance, if you know the member of staff who delivers the service you can contact them about the problem and they will do their best to resolve the issue quickly. Otherwise you can contact us:</i></p> <ul style="list-style-type: none"> <i>By telephone – call our Customer Service Team on 0300 131 2 131</i> <i>Online using the form on our website</i> <i>In writing:</i> <i>North Yorkshire Council</i> <i>County Hall</i> <i>Northallerton</i> <i>North Yorkshire</i> <i>DL7 8AD</i> <i>In person at one of our public access points – it would be helpful if you could call ahead to make an appointment so that we can make sure an appropriate</i> 	<p>A mandatory elearning module on customer feedback for all staff is in development and is expected to be deployed in the near future.</p> <p>We will supplement this with messages to staff on the Council's intranet, in the weekly email to all staff and monthly managers' team briefing.</p>

			<p><i>member of staff will be available for you. Although we will accept complaints made via social media, in order to maintain confidentiality and privacy, we will not progress them using this method. We will ask you how else you would like to communicate with us in order for us to investigate and provide a full response.</i></p>	
3.3	<p>High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.</p>		<p>The Council values complaints and welcomes feedback from their residents/service users.</p> <p><i>Housing Complaints Policy page 1</i> <i>We are committed to providing high quality services to those who live in, work in, or visit North Yorkshire, but in any organisation things can go wrong. We want to know when this happens so that we can try to put it right and prevent it from happening again.</i></p> <p>Housing Complaints Guidance: What to do if you receive a complaint page 1 <i>Complaints are valuable. They provide us with useful feedback that can be used to identify issues and inform improvements to our services. As a council we take complaints seriously and prioritise this process in order to both provide a good service to complainants and learn as much as we can from them. This is a core service, affecting all services across the Authority.</i></p>	<p>This is the first year of the unitary North Yorkshire Council and we are working on improving our collective recording and reporting on complaints. Numbers of complaints received will be monitored over time. Should there be any significant drop in numbers this will be examined to ascertain whether there is a reason for it.</p>
3.4	<p>Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two stage process, what will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord's website.</p>	Yes	<p>The Housing Complaints Policy is written in a clear and accessible format. It is available on our website Complaints, comments or compliments North Yorkshire Council, in pdf or printed format and other reasonable formats upon request</p> <p>Housing Complaints Policy page 4 <i>If you need help to make your complaint, for</i></p>	

			<i>example an interpreter, or provision of information in different formats please let us know and we will make all reasonable efforts to help you. There is more information on our website.</i>	
3.5	The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code.	Yes	<p>Housing Complaints Policy page 7 Housing Ombudsman <i>The HO is set up by law to look at complaints about housing organisations that are registered with them, including housing associations and local authorities. You can approach the HO at any time during your complaint investigation should you require their advice.</i> <i>The HO is an independent body that will consider complaints about housing. It will normally only consider complaints made within 12 months from the date you first knew about the matter complained about, but can decide to look at older complaints if there is a good reason to do so.</i> <i>Information on how to refer your complaint to the HO can be found at:</i> <i>Website: www.housing-ombudsman.org.uk</i> <i>Telephone: 0300 111 3000</i> <i>Opening hours: Monday – Friday 9:15am to 5:15pm</i> <i>The Housing Ombudsman has introduced a Complaint Handling Code which the Council abides by. Details of this code can be found on their website.</i></p> <p>Housing Complaints Policy page 8 Where you can find this policy <i>This policy is available on our website and can be requested in pdf format or hard copy. If you need it in a different format please let us know and we will make all reasonable efforts to provide that.</i> <i>It will be publicised in any resident newsletter</i></p>	We are looking to reintroduce resident newsletters and a revised tenant communications plan when services in the new Council are realigned.

			<i>or similar.</i>	
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	Housing Complaints Policy page 4 <i>You can also ask someone else to make the complaint on your behalf or accompany you to meetings, such as a relative or friend, or you can contact a relevant organisation, such as Citizens Advice Bureau or an advocacy service, or you can contact your local councillor. If you do ask someone else to make your complaint for you, we will need to have your consent in writing for us to progress this with them.</i>	
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	Housing Complaints Policy page 7 Housing Ombudsman <i>The HO is set up by law to look at complaints about housing organisations that are registered with them, including housing associations and local authorities. You can approach the HO at any time during your complaint investigation should you require their advice. The HO is an independent body that will consider complaints about housing. It will normally only consider complaints made within 12 months from the date you first knew about the matter complained about, but can decide to look at older complaints if there is a good reason to do so. Information on how to refer your complaint to the HO can be found at: Website: www.housing-ombudsman.org.uk Telephone: 0300 111 3000 Opening hours: Monday – Friday 9:15am to 5:15pm The Housing Ombudsman has introduced a Complaint Handling Code which the Council abides by. Details of this code can be found on their website.</i>	
			North Yorkshire Council website	

			<p>Complaints, comments or compliments North Yorkshire Council</p> <p><i>The housing ombudsman is an independent body that will consider complaints about housing, including the social housing owned by the Council. It will normally only consider complaints made within 12 months from the date you first knew about the matter complained about, but can decide to look at older complaints if there is a good reason to do so.</i></p> <p><i>You can approach the housing ombudsman at any time during your complaint investigation should you require their advice. Information on how to refer your complaint to the HO can be found at:</i></p> <p><i>Website: Housing Ombudsman</i></p> <p><i>Telephone: 0300 111 3000</i></p> <p><i>Opening hours: Monday to Friday 9:15am to 5:15pm</i></p>	
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Section 4: Complaint Handling Staff

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
4.1	Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the 'complaints officer'. This role may be in addition to other duties.	Yes	The Corporate Complaints Manager and Team fulfil this role.	
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	Yes	The Corporate Team can contact anyone within the Council in relation to the handling of a complaint and has the authority and autonomy to act to resolve disputes promptly and fairly.	

	promptly and fairly.			
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	<p>Housing Complaints Policy page 1: <i>We are committed to providing high quality services to those who live in, work in, or visit North Yorkshire, but in any organisation things can go wrong. We want to know when this happens so that we can try to put it right and prevent it from happening again. We would also like to know when we do something well, or if you have any comments you would like to make on our services.'</i></p> <p>Housing Complaints Guidance: What to do if you receive a complaint page 1 <i>Complaints are valuable. They provide us with useful feedback that can be used to identify issues and inform improvements to our services. As a council we take complaints seriously and prioritise this process in order to both provide a good service to complainants and learn as much as we can from them. This is a core service, affecting all services across the Authority. We regularly report to management teams and members. The complaints officers and teams site near directors and services.</i></p>	<p>A mandatory elearning module on customer feedback for all staff is in development and is expected to be deployed in the near future.</p> <p>We will supplement this with messages to staff on the Council's intranet, weekly email to all staff and monthly managers' briefing notes.</p> <p>The complaints service is currently being reviewed to ensure best practice, better quality recording and to ensure that an effective service structure is in place with an appropriate level of resource.</p> <p>We had recognised that more support was required in the housing service and a dedicated Complaints Officer has been appointed.</p>


Section 5: The Complaint Handling Process

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
5.1	Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain.	Yes	Housing Complaints Policy page 1 <i>Making a complaint will not affect how you receive our services. This policy relates to complaints, compliments or comments made about housing.</i>	
5.2	The early and local resolution of issues between landlords and residents is key to effective complaint handling. It is not	Yes	The Council operates a two-stage process, with no 'pre-stages'	

	appropriate to have extra named stages (such as 'stage 0' or 'informal complaint') as this causes unnecessary confusion.			
5.3	A process with more than two stages is not acceptable under any circumstances as this will make the complaint process unduly long and delay access to the Ombudsman.	Yes	The Council operates a two-stage process	
5.4	Where a landlord's complaint response is handled by a third party (e.g. a contractor or independent adjudicator) at any stage, it must form part of the two stage complaints process set out in this Code. Residents must not be expected to go through two complaints processes.	Yes	Housing Complaints Guidance: The Complaints Officer's Role page 8 <i>Complaints regarding services provided by third parties must be dealt with as part of the two-stage process – there must not be a third, separate stage for this.</i>	
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	No		As legacy contracts come to an end, new contracts will include a requirement that complaints be handled in alignment with this 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	Housing Complaints Policy page 4 (Stage 1) <i>If a response cannot be provided within 5 working days of receipt of the complaint, an acknowledgement will be sent, letting you know who is dealing with your complaint and what will happen next. We will set out our understanding of your complaint and what outcomes you are seeking (the complaint definition).</i> Housing Complaints Policy page 5 (Stage 2) <i>If we decide to carry out further investigation, you can expect:</i> <ul style="list-style-type: none"> • <i>Contact to confirm who is dealing with the case, our understanding of your complaint and your desired outcomes</i> Housing Complaints Guidance: The Complaints Officer's Role page 3 (stage 1) <i>Defining the Complaint</i>	

			<p><i>The Complaints Officer should look at the information the complainant has provided and identify what the points of complaint are. The second part of a complaint definition is the complainant's desired outcomes. It is important to recognise what it is that the complainant wants as our response to their complaint, so that we can consider whether or not that is achievable. However, sometimes it is not clear exactly what the complaint is about. In these instances the Complaints Officer should contact the complainant to clarify these points.</i></p> <p>Housing Complaints Guidance: The Complaints Officer's Role page 5 (stage 1) <i>The acknowledgement will include:</i></p> <ul style="list-style-type: none"> <i>What we understand the points of complaint to be and the complainant's desired outcomes (known together as 'the complaint definition')</i> <p>Housing Complaints Guidance: The Complaints Officer's Role page 6 (stage 2) <i>We must make reasonable efforts to understand why the complainant remains unhappy after the stage 1 investigation without requiring the complainant to set this out. However, if a meaningful consideration at stage 2 of the process cannot be made because this is unclear then the Complaints Officer should contact the complainant for clarification.</i></p> <p>Housing Complaints Guidance: The Complaints Officer's Role page 7 (stage 2) This acknowledgement must include:</p> <ul style="list-style-type: none"> The complaint definition 	
5.7	When a complaint is acknowledged at	Yes	Housing Complaints Guidance: The	

	either stage, landlords must be clear which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear.		<p>Complaints Officer's Role page 5 (stage 1) <i>The acknowledgement will include:</i></p> <ul style="list-style-type: none"> • <i>Any points we are not responsible for and if appropriate where we/they can refer the case</i> <p>Housing Complaints Guidance: The Complaints Officer's Role page 7 (stage 2) <i>This acknowledgement must include:</i></p> <ul style="list-style-type: none"> • <i>Any points we are not responsible for and if appropriate where we/they can refer the case</i> 	
5.8	<p>At each stage of the complaints process, complaint handlers must:</p> <ol style="list-style-type: none"> deal with complaints on their merits, act independently, and have an open mind; give the resident a fair chance to set out their position; take measures to address any actual or perceived conflict of interest; and consider all relevant information and evidence carefully. 	Yes	<p>Housing Complaints Guidance: What to do if you receive a complaint page 3 <i>An investigator must:</i></p> <ul style="list-style-type: none"> • <i>Deal with each complaint on its merits</i> • <i>Act independently and have an open mind</i> • <i>Give the complainant a fair chance to set out their opinion</i> • <i>Take measures to address any actual or perceived conflict of interest</i> • <i>Consider all the relevant information and evidence carefully</i> 	
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	<p>Housing Complaints Guidance: The Complaints Officer's Role page 4 (stage 1) <i>In exceptional circumstances, where there is good reason, timescales can be extended beyond this, but in addition to explaining why, the Complaints Officer must agree with the complainant suitable intervals for keeping them informed about their complaint.</i></p> <p>Housing Complaints Guidance: The Complaints Officer's Role page 6 (stage 2) <i>If a timescale is extended by more than 20 working days the Complaints Officer must agree with the complainant suitable intervals for keeping them informed about their complaint.</i></p>	

5.10	Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review.	Yes	Through the housing management systems details of required adjustments and communication preferences are recorded and tracked.	Given the differences in legacy organisation approaches to collecting and updating the data the accuracy and business confidence in the information is limited. As the business develops a new single platform for housing management including a CRM it is expected that far greater confidence in the required adjustments and preferences will develop
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	Examples of exclusions are set out on page 2 of the Housing Complaints Policy. If a complaint has completed stage 1 of the policy and a request for escalation to stage 2 is received, the stage 2 process will be started.	
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	All housing complaints are logged on our central recording system. This includes the original complaint, the date received, correspondence with the resident, correspondence with other parties and any relevant supporting documentation.	
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	Investigating officers are open, with authorisation from senior staff, to provide an appropriate remedy at stage 1 of the process. At stage 2, the senior officer adjudicating officer will do the same.	
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	 NYC Unacceptable Complainant Behavi	
5.15	Any restrictions placed on contact due to		Unacceptable Complainant Behaviour Policy	

	<p>unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.</p>	<p>page 2 Reasonable adjustments <i>Due consideration will be given to any special needs or circumstances the complainant may have, including any related illnesses or disabilities that may be impacting on behaviour and any reasonable adjustments will be made.</i> <i>Customer requirements will be considered in determining any appropriate action to ensure it does not discriminate against the complainant under the Equalities Act 2010 or increase their level of vulnerability</i></p>	
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Section 6: Complaints Stages

Stage 1

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.1	<p>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.</p>	Yes	<p>Housing Complaints Guidance: What to do if you receive a complaint page 2 <i>If the complaint is something that you can resolve straight away, do so. For example, a complaint could be made over the phone and you are able to provide an explanation/resolution immediately, but you must provide the Complaints Officer with all relevant documentation/records of conversations in order to complete the central record. This should be sent to ComDev.Complaints@northyorks.gov.uk</i> <i>Otherwise, any complaint (or anything you think may be a complaint) about Housing Services must be sent to ComDev.Complaints@northyorks.gov.uk for assessment, recording, acknowledgement and allocation.</i></p> <p>Housing Complaints Guidance: What to do if</p>	

			<p>you receive a complaint page 3 <i>The standard timescale for a response is 10 working days from the date of acknowledgement, however you must make all efforts to provide a response as soon as is reasonably possible.</i></p>	
6.2	<p>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></p>	Yes	<p>Housing Complaints Policy page 4 <i>If a response cannot be provided within 5 working days of receipt of the complaint, an acknowledgement will be sent, letting you know who is dealing with your complaint and what will happen next. We will set out our understanding of your complaint and what outcomes you are seeking (the complaint definition).</i></p> <p>Housing Complaints Guidance: The Complaints Officer's Role page 5 <i>A complaint must be defined, logged and an acknowledgement sent by the Complaints Officer to the complainant within five working days of receipt.</i></p>	
6.3	<p>Landlords must issue a full response to stage 1 complaints <u>within 10 working days</u> of the complaint being acknowledged.</p>	Yes	<p>Housing Complaints Policy page 4 You can expect: <i>A response within 10 working days of the date of the acknowledgement</i></p> <p>Housing Complaints Guidance: What to do if you receive a complaint page 3 <i>The standard timescale for a response is 10 working days from the date of acknowledgement.</i></p>	
6.4	<p>Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained</p>	Yes	<p>Housing Complaints Guidance: The Complaints Officer's Role page 4 1.4 Setting the Timescale <i>When assessing the complaint, the Complaints Officer must consider if the standard, 10 working days (from date of acknowledgement) timescale would be appropriate, or if an extension should be</i></p>	

	to the resident.		<p><i>applied. This should only be done if there is a justifiable reason – this should be assessed on a case-by-case basis. Reasons may include:</i></p> <ul style="list-style-type: none"> <i>• The case is particularly complex</i> <p><i>Whether the complainant is vulnerable or at risk should also be a factor in considering whether to apply an extension.</i></p> <p>Housing Complaints Policy page 5 <i>If the investigation will take longer than 10 working days we will tell you, explaining why and letting you know when you can expect a full response. If we believe the investigation will take longer than 20 working days we will contact you to explain why and to agree a new deadline. We will update you at suitable intervals until the case is completed.</i></p>	
6.5	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes	<p>Housing Complaints Guidance: The Complaints Officer's Role page 5 <i>The acknowledgement will include:</i></p> <ul style="list-style-type: none"> <i>• What the process will be including timescales</i> <i>• If timescales are extended, the reasons for this – if extended for more than a further 10 working days, how often we will update the complainant.</i> <i>• Details of the relevant ombudsman</i> <p>Housing Complaints Guidance: The Complaints Officer's Role page 4 <i>An extension to timescales can be applied at any time during the investigation. This must be done in agreement with the Complaints Officer and be for a valid reason. The Complaints Officer must write to the complainant to explain why the timescale is being extended and when they can expect a response. They should also remind the complainant of the details of the relevant</i></p>	

			<i>ombudsman.</i>	
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	Housing Complaints Guidance: The Complaints Officer's Role page 5 <i>Once the response is complete, it should be sent as soon as possible. It should not be delayed, for example waiting for corrective actions to be carried out.</i> Housing Complaints Guidance: The Complaints Officer's Role page 8 <i>Any outstanding actions following the complaint response must be monitored by the Complaints Officer until completion, with chasing as appropriate. They must also provide suitable updates to the complainant.</i>	
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	Housing Complaints Policy pages 4/5 <i>A response within 10 working days of the date of the acknowledgement... This will include...a clear statement about whether or not your complaint has been upheld, an explanation of why we have come to that decision...</i> Housing Complaints Guidance: The Complaints Officer's Role page 7 <i>The response must include:</i> <ul style="list-style-type: none"> • <i>Any relevant legislation, policy or guidance in relation to the complaint</i> • <i>An analysis of the evidence for each point of complaint (these may be grouped together) giving a clear decision and an explanation of how that decision was reached.</i> 	
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	Yes	Housing Complaints Guidance: The Complaints Officer's Role page 3 <i>Sometimes the complainant will contact us with additional points of complaint after the complaint investigation has begun. If these points are not related to the existing complaint, they should be treated as a new</i>	

	unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.		<p><i>complaint, so assessed for being in scope and so on.</i></p> <p><i>If these points are related to the existing complaint, the Complaints Officer should then consider whether they should be incorporated into that investigation, or considered as a separate, new complaint.</i></p> <p><i>If the response to the existing complaint has not been issued and including the new points would not unreasonably delay the response, they should be incorporated into that case. If doing so would cause significant delay to the response, but it would not make sense to handle them separately, it would be acceptable to agree an extension with the complainant to cater for this.</i></p> <p><i>Where the response to the existing complaint has already been sent, the new issues must be logged as a new complaint, but linked to the existing complaint.</i></p>	
6.9	<p>Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language:</p> <ol style="list-style-type: none"> a. the complaint stage; b. the complaint definition; c. the decision on the complaint; d. the reasons for any decisions made; e. the details of any remedy offered to put things right; f. details of any outstanding actions; and g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response. 	Yes	<p>Housing Complaints Policy pages 4/5</p> <p><i>A response within 10 working days of the date of the acknowledgement ... This will include confirmation of which stage it is and the complaint definition, a clear statement about whether or not your complaint has been upheld, an explanation of why we have come to that decision, where appropriate an offer of remedy and what we will do to prevent it from happening again, along with how to refer your complaint to the next stage if you are still unhappy.</i></p> <p>Housing Complaints Guidance: The Complaints Officer's Role page 4</p> <p><i>The response must include:</i></p> <ul style="list-style-type: none"> • <i>The stage of complaint</i> • <i>The complaint definition</i> • <i>Any relevant legislation, policy or guidance in relation to the complaint</i> 	Need to add stage, definition

			<ul style="list-style-type: none"> • <i>An analysis of the evidence for each point of complaint (these may be grouped together) giving a clear decision and an explanation of how that decision was reached.</i> • <i>The overall decision for the complaint (where there are several points of complaint, it may be helpful to provide a summarising conclusion explaining an overall outcome for the complaint).</i> • <i>Where any point of complaint is upheld: an apology; appropriate remedies, setting out timescales for any outstanding; what we will do to prevent the fault from happening again.</i> • <i>How to escalate the complaint to the next stage, with contact details and timescale</i> 	
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Stage 2

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.10	If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it must be progressed to stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.	Yes	If a complaint has completed stage 1 of the policy and a request for escalation to stage 2 is received, the stage 2 process will be started. The Council operates a two-stage process.	
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	Housing Complaints Policy page 5 <i>If we decide to carry out further investigation, you can expect:</i> <ul style="list-style-type: none"> • <i>Contact to confirm who is dealing with the case, our understanding of your complaint and your desired outcomes (formal acknowledgement). This will happen within 5 working days</i> 	

			Complaints Officer's Role page 7 <i>The Complaints Officer must define the complaint, log it on the central record and acknowledge receipt within 5 working days.</i>	
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	Housing Complaints Guidance: The Complaints Officer's Role page 6 <i>We must make reasonable efforts to understand why the complainant remains unhappy after the stage 1 investigation without requiring the complainant to set this out. However, if a meaningful consideration at stage 2 of the process cannot be made because this is unclear then the Complaints Officer should contact the complainant for clarification.</i>	
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.	Yes	Housing Complaints Policy page 5 <i>Stage 2 is a review of the stage 1 complaint, with possible further investigation carried out by an appropriate member of staff who has not had any previous involvement in the case.</i>	
6.14	Landlords must issue a final response to the stage 2 <u>within 20 working days</u> of the complaint being acknowledged.	Yes	Housing Complaints Policy pages 5/6 <i>If we decide to carry out further investigation, you can expect:</i> <ul style="list-style-type: none"> • <i>A response from a senior officer within 20 working days of the formal acknowledgement</i> 	
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes	Housing Complaints Policy page 6 <i>Where there is good reason, for example a case is particularly complex, or key people are not available, the timescale for response may be extended by up to 20 working days. We will contact you to explain why this has happened and when you can expect a response. In exceptional circumstances we may need to extend the timescale further and will write to explain why and agree a suitable extension with you. We will update you at suitable intervals until the case is completed.</i>	

			Housing Complaints Guidance: The Complaints Officer's Role page 7 <i>As at stage 1, the Complaints Officer should consider whether the stage 2 can be reasonably expected to be completed within the standard timescale, or if an extension should be applied. The advice in the stage 1 '1.4 Setting the timescale' section can also be used at stage 2.</i>	
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	Housing Complaints Guidance: The Complaints Officer's Role page 6 <i>As at stage 1 if at any point an extension is applied we must provide details of the ombudsman when we inform the complainant.</i>	
6.17	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes	Housing Complaints Guidance: The Complaints Officer's Role page 7 <i>Once the response is complete, it should be sent as soon as possible. It should not be delayed, for example waiting for corrective actions to be carried out.</i> Housing Complaints Guidance: The Complaints Officer's Role page 8 <i>Any outstanding actions following the complaint response must be monitored by the Complaints Officer until completion, with chasing as appropriate. They must also provide suitable updates to the complainant.</i>	
6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	Housing Complaints Policy page 6 <i>A response from a senior officer within 20 working days of the formal acknowledgement confirming the complaint definition, setting out the decision on the complaint... You will also receive a copy of the investigator's full report explaining what was considered, analysis of your complaint and how we came to our decision.</i>	

6.19	Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language: 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 the Ombudsman Service if the individual remains dissatisfied.	Yes	Housing Complaints Policy page 6 <i>A response from a senior officer within 20 working days of the formal acknowledgement confirming which stage it is and the complaint definition, setting out the decision on the complaint, what actions or remedy we intend to make where appropriate and what to do if you remain unhappy. You will also receive a copy of the investigator's full report explaining what was considered, analysis of your complaint and how we came to our decision</i> Housing Complaints Guidance: The Complaints Officer's Role page 7 <i>The response must include:</i> <ul style="list-style-type: none"> • <i>The stage of complaint</i> • <i>The complaint definition</i> • <i>The decision on the complaint</i> • <i>Details of any remedies offered to correct any fault; where outstanding, to include timescales for expected completion</i> • <i>How to escalate the complaint to the ombudsman</i> • <i>Any comments the senior officer would like to make to the complainant</i> • <i>The investigator's report</i> 	
6.20	Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.	Yes	Housing Complaints Guidance: The Complaints Officer's Role page 7 <i>Stage 2 is the Council's final response on a complaint and the investigation and adjudication processes must include all suitable staff members needed to issue such a response.</i>	

Section 7: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
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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	<p>Housing Complaints Policy pages 4/5 <i>A response...will include... where appropriate an offer of remedy and what we will do to prevent it from happening again (Stage 1)</i></p> <p>Housing Complaints Policy page 6 <i>A response...setting out... what actions or remedy we intend to make where appropriate (Stage 2)</i></p> <p>Housing Complaints Policy page 6 <i>Where fault has been found, we will apologise and try to put you back in the position you would have been in if nothing had gone wrong. This could be the provision of a service, correcting an error, or a change of decision. It may be that an apology is a suitable remedy for the complaint. The remedy offered will depend on what has happened and the effect, or injustice, that this has caused.</i> <i>We will look at why the fault happened and aim to make sure it does not happen again. This may result in corrective actions such as staff training, improved provision of information or a change to our procedures.</i></p> <p>Housing Complaints Guidance: The Complaints Officer's Role page 8 <i>Where any point of complaint at any stage has been upheld or partly upheld, we must be open and honest about it, acknowledging what went wrong and offering some form of remedy</i> <i>The remedies will vary according to the level of fault and how this has affected the complainant</i></p>	
7.2	Any remedy offered must reflect the impact on the resident as a result of	Yes	Housing Complaints Policy page 6 <i>The remedy offered will depend on what has</i>	

	any fault identified.		<i>happened and the effect, or injustice, that this has caused.</i> Housing Complaints Guidance: The Complaints Officer's Role page 8 <i>The remedies will vary according to the level of fault and how this has affected the complainant</i>	
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	Housing Complaints Guidance: The Complaints Officer's Role page 8 <i>The remedy offer must clearly set out what will happen and when, in agreement with the complainant where appropriate. Any outstanding actions following the complaint response must be monitored by the Complaints Officer until completion, with chasing as appropriate.</i>	
7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.	Yes	Housing Complaints Guidance: The Complaints Officer's Role page 8 <i>The Complaints Officer will assist investigating officers if they need advice on remedies for upheld points of complaint. They should take account of the Housing Ombudsman's guidance on remedies.</i> Housing Complaints Guidance: What to do if you receive a complaint page 6 <i>When considering what would be an appropriate remedy, you must take into account the Housing Ombudsman's guidance on remedies.</i>	

Section 8: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
8.1	Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include:	No	The annual report for 2023/24 was considered by the Executive Member for Culture, Arts and Housing on the 12 th June 2024 and the Housing and Leisure Overview	North Yorkshire is in its infancy. We are working on introducing a single reporting system which will enable more detailed reporting, including what types of

	<ul style="list-style-type: none"> a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements. b. a qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept; c. any findings of non-compliance with this Code by the Ombudsman; d. the service improvements made as a result of the learning from complaints; e. any annual report about the landlord's performance from the Ombudsman; and f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord. 		and Scrutiny Committee on 10 th June 2024.	complaints were refused. At present that data is not available.
8.2	The annual complaints performance and service improvement report must be reported to the landlord's governing body (or equivalent) and published on the on the section of its website relating to complaints. The governing body's response to the report must be published alongside this.	Yes	Once the annual report for 2023/24 is considered by the Executive Member for Culture, Arts and Housing on the 12 th June 2024 and the Housing and Leisure Overview and Scrutiny Committee on 10 th June 2024, it will be found on the Council's website on the 'Complaints, Comments or Compliments' page including response.	
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Yes	The Council will do this as necessary	
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	Yes	We will respond to any such requests appropriately	

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	We will do this as required	
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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	Housing Complaints Guidance: The Complaints Officer's Role page 8 <i>We must look beyond the individual complaint and consider if there are any wider service improvements that should be made as a result of the learning from the case.</i> Housing Complaints Guidance: What to do if you receive a complaint page 7 <i>You should look beyond the individual aspects of the complaint and consider if there are any wider service improvements that should be made as a result of the learning from the case.</i>	
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	Housing Complaints Policy page 1 <i>We are committed to providing high quality services to those who live in, work in, or visit North Yorkshire, but in any organisation things can go wrong. We want to know when this happens so that we can try to put it right and prevent it from happening again.</i> Housing Complaints Guidance: What to do if you receive a complaint page 1 <i>Complaints are valuable. They provide us</i>	

			<p><i>with useful feedback that can be used to identify issues and inform improvements to our services. As a council we take complaints seriously and prioritise this process in order to both provide a good service to complainants and learn as much as we can from them. This is a core service, affecting all services across the Authority.</i></p> <p>Housing Complaints Guidance: The Complaints Officer's Role page 8 <i>We must look beyond the individual complaint and consider if there are any wider service improvements that should be made as a result of the learning from the case.</i></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.	No	<p>Revised governance arrangements have been installed, a new Member-led Housing & Leisure Overview and Scrutiny Committee has been created and will receive reports on complaints data and wider learning on a quarterly basis. We will look to replicate this for tenant panels once those are established.</p> <p>Our Housing Improvement Plan includes actions on staff learning from complaint handling.</p>	As the new council works towards unifying its services, our residents panels are paused. We are looking to reintroduce these as soon as possible. We also plan to introduce a 'you said, we did' section on the complaints page of our website.
9.4	Landlords must appoint a suitably senior lead person as accountable for their complaint handling. This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.	Yes	<p>The Corporate Complaints Manager oversees the Housing Complaints Policy and process. Relevant statistical data is produced and shared with others as appropriate. They also review policies and procedures as required.</p> <p>The Housing Complaints Officer produces regular performance reports on complaints which is shared with relevant senior management in the Housing service.</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	Councillor Simon Myers is the Executive Member for Culture, Arts and Housing. He is the Council's MRC.	
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	As part of the new governance and oversight arrangements the O&S Committee will receive quarterly updates on complaints performance and will be briefed by the Exec Member on relevant information.	
9.7	As a minimum, the MRC and the governing body (or equivalent) must receive: <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. 	Yes	As part of the new governance and oversight arrangements the O&S Committee will receive quarterly updates on complaints performance and will be briefed by the Exec Member on relevant information.	

9.8	<p>Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:</p> <p>a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;</p> <p>b. take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and</p> <p>c. act within the professional standards for engaging with complaints as set by any relevant professional body.</p>	Yes	<p>Housing Complaints Guidance: What to do if you receive a complaint page 1</p> <p><i>In order to handle complaints in the best way, staff must:</i></p> <ul style="list-style-type: none"> • <i>have a collaborative and cooperative approach towards resolving complaints, working with colleagues across teams and departments;</i> • <i>take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and</i> • <i>act within the professional standards for engaging with complaints as set by any relevant professional body.</i> 	<p>As legacy contracts come to an end, new contracts will include a requirement that complaints be handled in alignment with this code.</p>
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