

Definition of a complaint			
Must			
Code section	Requirement	Compliant?	Evidence/ commentary
1.2	A complaint must be defined 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 or group of residents.	Yes	Definition contained within complaints policy.
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	Policy states that any expression of "dissatisfaction" can be treated as a complaint.
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	Included within the complaints policy
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	A section of the Berry Brook Homes complaints policy relates to when a complaint may be refused or terminated.
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	As above

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	A section of the Berry Brook Homes complaints policy relates to when a complaint may be refused or terminated.
Should			
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 not a complaint about the service they have/ have not received.	Yes	Definitions and difference between a service request and a complaint is detailed in the 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	Yes	Bi annual customer satisfaction survey contains this information as well as the
Accessibility and awareness			
Must			
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	Policy details that residents can raise a complaint through letter, email, social media, telephone or in person.
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	This is available on the Berry Brook Homes website.

Private: Information that contains a small amount of sensitive data which is essential to communicate with an individual but doesn't require to be sent via secure methods.

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	Included on the company website
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	Details included within the complaints policy of reasonable adjustments that can be made upon request.
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	This information is given on social media, the annual report, and other ad hoc communications sent to residents.
2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	Yes	This information is included in ad hoc communications with the residents
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	This information is provided to residents when a complaint is first raised. The complaints policy requires amendment to reflect this.
Should			

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	Where the landlord has set up channels to communicate with its residents via social media, it should expect to receive complaints via those channels. Policies should contain details for the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.	Yes but further action needed	Accepts complaints via social media and the policy details that it will then respond through another, more private channel. Berry Brook Homes needs to create a social media policy.
Complaint handling personnel			
Must			
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	No complaints officer, but a Service Improvement Officer is in post and they fulfil this obligation for the company. However, under the SKA with
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	The Service Improvement Officer is aware that she cannot consider a complaint should she have a conflict of interest.
Should			
3.3	Complaint handlers should: act sensitively and fairly, trained to handle complaints and deal with distressed residents, have access to staff at all level, have the authority and autonomy to act to resolve disputes.	Yes	SIO has access to staff at all levels and is supported to deal with distressed customers.
Complaint handling principles			
Must			

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4.1	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.	Yes	Complaints policy is compliant with this, and no extra stages or delays are present within the complaints procedure.
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	Complaints policy contains this and responses to complaints contain these elements.
4.6	A complaint investigation must be conducted in an impartial manner.	Yes	The policy and procedure reflect this point
4.7	The complaint handler must: • 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	SIO works with the WBC tenant engagement team to ensure all aspects of this are followed appropriately.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication	Yes	This is standard practice within the organisation

4.12	The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to: • set out their position • comment on any adverse findings before a final decision is made.	Yes	This is contained within the Berry Brook Homes complaints policy
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint	Yes	out within the complaints policy.
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 escalation must be clearly set out in a policy and must be the same as reasons for not accepting a complaint	Yes	A section of the Berry Brook Homes complaints policy relates to when a complaint may be refused or terminated. A detailed list of reasons is provided.
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	Full complaints KPIs are recorded by WBC on behalf of the LHCs. These are presented to the Board on a bi annual basis and reviewed by the LHC team monthly.
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	Homes complaints policy relates to persistent or vexatious complaints, and within it details how
Should			
4.3	Landlords should manage residents expectations from the outset, being clear where desired outcomes are unreasonable or unrealistic.	Yes	to state that expectations must be managed from the outset.

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	The policy states that Berry Brook Homes will do all it can to resolve a complaint there and then, with staff aware that the first step when a
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.	No	This is not contained within the policy, and greater awareness amongst tenants is likely required.
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	Clause included within the policy
4.9	Communication with the resident should not generally identify members of staff or contractors.	No	Due to the small size of the company, it is very difficult
4.1	Landlords should keep residents regularly updated about the progress of the investigation.	Yes	Residents receive regular communication as to the status of their complaint, and
4.16	Landlords should seek feedback from residents in relation to the landlords complaint handling as part of the drive to encourage a positive complaint and learning culture.	Yes	Surveys are sent out after a complaint has been resolved to gain feedback on the satisfaction of the level of
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	Staff have support from management when handling complaints. Staff also have regular meetings with their line manager to discuss any
4.19	Any restrictions placed on a residents contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.	Yes	Policy includes guidance around this

Complaints stages			
Must - stage 1			
5.1	Landlords must respond to the complaint within 10 working days 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	Timeframe explicitly stated within the 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 practice occurs within the organisation.
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 practice occurs within the organisation.
5.8	Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: • 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 practice occurs within the organisation. However, the policy needs updating to reflect this.
Stage 2			
5.9	If all or part of the complaint is not resolved to the residents satisfaction at stage one it must be progressed to stage two unless an exclusion ground now applies. When a landlord declines to escalate, a clear written reason must be supplied along with the residents right to approach the ombudsman.	Yes	This is detailed within the complaints policy.
5.1	On receipt of the escalation request landlords must set out their understanding of the 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 full definition agreed by both parties.	Yes	Detailed within the 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 detailed within the complaints policy.
5.12	The person considering the complaint at stage two must not be the same person that considered it at stage one.	Yes	This is detailed within the complaints policy.
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 of when a response will be received. This should not exceed a further 10 days without good reason.	Yes	Included within the complaints policy
5.16	Landlords must confirm in writing at the completion of stage two: complaint stage, complaint definition, decision of the complaint, reason for any decisions, any remedies offered, details of outstanding actions, how to escalate to 3rd stage if there is one, how to escalate to housing ombudsman if this was final stage.	Yes	Included within the complaints policy
Stage 3			
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	The LHCs have a two stage complaints procedure.
5.2	Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language: • 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 Ombudsman Service if the resident remains dissatisfied	N/A	There is no stage 3 in the LHC complaints procedure.
Should stage 1			

5.2	If an extension beyond 20 working days is needed to allow the landlord to respond fully, this should be agreed by both parties.	Yes	Detailed within the complaints policy
5.3	Where agreement cannot be reached, landlord should provide housing ombudsman contact details so resident can challenge the landlords plan for responding and/or the proposed timeframe.	Yes	Detailed within the complaints policy
5.4	Where the problem is a reoccurring issue, the landlord should consider any older reports as part of the background to the complaint	Yes	Detailed within the complaints policy
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 1 response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, this should be logged as a new complaint.	Yes	This is detailed within the complaints policy.
Stage 2			
5.14	If an extension beyond 10 working days is required to allow the landlord to respond to the complaint fully, this should be agreed by both parties.	Yes	Detailed within the complaints policy
5.15	Where agreement over an extension cannot be reached, the housing ombudsman's details should be provided.	Yes	Detailed within the complaints policy
Stage 3			

5.18	Complaints should only go to third stage if the resident has actively requested a third stage review of the complaint. Where a third stage is present and has been requested landlords must respond within 20 working days of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date of when the response will be received should be provided.	N/A	The LHCs have a two stage complaints procedure.
5.19	Where an agreement cannot be reached, housing ombudsman details should be provided.	N/A	The LHCs has a two stage complaints procedure.
Putting things right			
Must			
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	The complaints policy contains that it will record and analyse data from complaints and use it improve services and amend policies and processes where necessary
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	Detailed within the complaints policy
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	The LHCs have a compensation policy which takes this into account.

	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.	6.6	Yes	The LHCs has a compensation policy which takes this into account.
Should				
	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	6.3	Yes	The LHCs are continually learning and will to make changes and adapt in light of new information.
	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.	6.7	Yes	The LHCs work closely with the WBC tenant engagement team who are specialists in these matters
Continuous learning and improvement				
Must				
	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.	7.2	Yes	The LHCs present an annual complaints summary to its governing Board each calendar year. It also includes complaints handling within its internal audit programme. These findings are also presented to the Board.
Should				

7.3	A member of the governing body should be appointed to have lead responsibility for complaints to support a positive complaints handling culture. The role will be responsible for ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlords complaint handling performance.	No	In the case of the LHCs, the governing body is the Board. A member of the Board will need to be appointed for this responsibility.
7.4	As a minimum, the governing body should receive: regular updates on volume, categories and outcomes of complaints, regular reviews of issues and trends arising from complaints handling, annual performance report, individual complaint outcomes where necessary, including where the ombudsman found maladministration or referrals to regulatory bodies.	Yes	The Board receives monthly KPIs around the number of complaints received, the number closed, and the outcomes of these. An annual summary of complaints is also presented to the Board.
7.5	Any themes or trends should be assessed by senior management to identify potential systematic issues, serious risks or policies that require revision. They should also be used to inform training.	Yes	As part of the monthly review of the KPIs, these are looked over by a senior manager, and any trends identified are passed to the service improvement officer for further investigation.
7.6	Landlords should have a standard objective in relation to complaints handling for all employees that reflects the need to have collaborative approaches towards complaints handling, take collective responsibility for shortfalls, and act within the professional standards for engaging with complaints as set by the CIH.	Yes	The company values includes objectives for all employees.
Self assessment and compliance			
Must			
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	Currently being completed. Is included within the service and compliance officer's annual tasks

8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	N/A	No significant changes have occurred.
8.3	Following each self-assessment, a landlord must: • 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 outcome of the self assessment will be passed to the Board, and published on social media/ website.

Key



Further action needed

May not apply