OA06 (Complaint Policy) - Section 1: Definition of a complaint

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
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 landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.'	Yes	Complaints Policy.	The definition is included in our Complaints Policy.
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	Complaints Policy.	The Policy states the definition and stipulates how we should respond when we receive any expressions of dissatisfaction whether that be directly or via a third party.
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	Complaints Policy and Reporting.	Clear criteria are included in the policy as to when issues can be logged as service requests or a complaint including timelines and effort required to satisfactorily resolve the issue and whether it was to the customer's satisfaction. Detail on Service Requests and Complaints are included in monthly reports submitted to SMT and

				Board/Committee.
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	Complaints Policy and Reporting.	Clear criteria are included in the policy as to when issues can be logged as service requests or a complaint including timelines and effort required to satisfactorily resolve the issue and whether it was to the customer's satisfaction. Detail on Service Requests and Complaints are included in monthly reports submitted to SMT and Board/Committee.
1.6	An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.	Yes	Complaints Policy	On conducting the annual TSM Perception Survey all customers made aware of how to make a complaint as standard.

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	Complaints Policy	Clear criteria stipulated within complaints policy on when a complaint cannot be accepted and for what reason.
2.2	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: The issue giving rise to the complaint occurred over twelve months ago. Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court. Matters that have previously been considered under the complaints policy.	Yes	Complaints Policy	Clear criteria stipulated within complaints policy on when a complaint cannot be accepted and for what reason.
2.3	Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept	Yes	Complaints Policy	Clear criteria stipulated within complaints policy on when a complaint cannot be accepted and for what reason.

	complaints made outside this time limit where there are good reasons to do so.			
2.4	If a landlord decides not to accept a complaint, an explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.	Yes	Complaints Policy	The Policy requires the 'Complaints Officer' to confirm the reasoning for their complaint not being accepted, and their right to take that decision to the Ombudsman.
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	Yes	Complaints Policy	The Policy requires the 'Complaints Officer' to use their discretion in considering whether to exclude a complaint.

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	Complaints Policy	Ability is a Supported Housing Association that has internal processes in place to ensure that policies and procedures can be adapted to accommodate individual customer's needs. Training is provided to ensure complaint handlers can make reasonable adjustments.
3.2	Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.	Yes	Staff training/Complaints Policy	A variety of methods are available for customers to complain which are easy to use and accessible. They include, verbally, face to face, in writing and via our website which includes an online form.
3.3	High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.	Yes	Complaints Policy	Positive complaints handling culture promoted across the organisation, with learnings from complaints embedded as key part of customer engagement and service improvement.
3.4	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two stage process, what will happen at each	Yes	Complaints Policy Publication	Easy read version of the complaints policy available, and distributed across services and on website.

	stage, and the timeframes for responding. The policy must also be published on the landlord's website.			
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	Complaints Policy	Policy stipulates where complaints policy will be publicised. The website, customer magazine and leaflets are used to publish all information relating to complaints.
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	Complaints Policy	Policy states a 3 rd party act on their behalf.
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	Complaints Policy	All documentation relating to complaints refers to the Ombudsman Service and how the service can be accessed.

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	Assigned responsibilities for complaint handling included in Job Descriptions of specific roles.	The Customer Contact Team are assigned to take responsibility for complaint handling, including the logging and administering of all service requests and complaints.
4.2	The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly.	Yes	Training/processes to facilitate complaint handling.	Training is provided as appropriate and skill set of contact centre matches what is required of code in terms of soft skills and access to staff. Processes are in place within team to ensure issues can be resolved quickly and fairly when required.
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	Complaints Policy/Reporting	Complaints training provided to all staff, with response times to complaints monitored and reported to SMT/Board/Committee.

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	Complaints Policy	Complaints Policy in place with two stage process.
5.2	The early and local resolution of issues between landlords and residents is key to effective complaint handling. It is not appropriate to have extra named stages (such as 'stage 0' or 'informal complaint') as this causes unnecessary confusion.	Yes	Complaints Policy	Two stage complaint procedure, with guidance provided on how to classify a complaint vs service request.
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	Complaints Policy	To stage complaints procedure in place.
5.4	Where a landlord's complaint response is handled by a third party (e.g. a contractor or independent adjudicator) at any stage, it must form part of the two stage complaints process set out in this Code. Residents must not be expected to go through two complaints processes.	N/A	N/A	N/A
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	N/A	N/A	N/A
5.6	When a complaint is logged at Stage 1 or escalated to Stage 2, landlords must set	Yes	Complaints Policy	The Complaints Team are required to clarify the

	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.			complaint, and desired outcome before assigning to a Lead Manager for resolution.
5.7	When a complaint is acknowledged at 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.	Yes	Complaints Policy	Complaints response required to acknowledge and respond to all elements of the complaint.
5.8	At each stage of the complaints process, complaint handlers must: a. deal with complaints on their merits, act independently, and have an open mind; b. give the resident a fair chance to set out their position; c. take measures to address any actual or perceived conflict of interest; and d. consider all relevant information and evidence carefully.	Yes	Complaints Policy	All complaint handlers and trained to deliver the required standard of complaint responses, with no
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	Complaints Policy	Policy stipulates that the Lead Manager for the complaint must agree
5.10	Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any	Yes	Complaints Policy/CRM database	Ability is a Supported Housing Association that has internal processes in place to ensure that policies and procedures

	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.			can be adapted to accommodate individual customer's needs. Training is provided to ensure complaint handlers can make reasonable adjustments.
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	Complaints Policy	We will accept an escalation to a stage 2 irrespective of timescales unless it falls into the category excluding it from the complaint process stipulated in policy.
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	CRM System	A Complaint Logging System is in place and used for the logging of all issues relating to service requests and complaints.
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	Complaints Policy	Training given to support complaint handlers which includes focus on resolution for customer.
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	No		Managing Customer Behaviour Policy in draft – requires amendments before submission to Board for approval.

	putting any restrictions in place and must keep restrictions under regular review.		
5.15	Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.	Yes	Ability is a Supported Housing Association that has internal processes in place to ensure that policies and procedures are proportionate and demonstrate regard for the provisions of the Equality Act 2010.

Section 6: Complaints Stages

Stage 1

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.1	Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident.	Yes	Complaints Policy	Complaints Procedure requires complaints to be answered as soon as possible with a nominated individual identified to provide updates on outstanding actions within response.
6.2	Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure within five working days of the complaint being received.	Yes	Complaints Policy	Policy stipulates all complaints must be acknowledged within five working days.
6.3	Landlords must issue a full response to stage 1 complaints within 10 working days of the complaint being acknowledged.	Yes	Complaints Policy	Policy stipulates all complaints must be responded to within ten working days.
6.4	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the	Yes	Complaints Policy	All extensions must be agreed between lead responder and customer with clear reasoning for extension given.

	reason(s) must be clearly explained to the resident.			
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	Complaints Policy	Policy stipulates HOS contact details to be provided when advising of an extension.
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	Complaints Policy	Complaints Procedure requires complaints to be answered as soon as possible with a nominated individual identified to provide updates on outstanding actions within response.
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	Complaints Policy	Staff responsible for investigating and responding to complaints are trained on effective complaint handling which includes aspects to consider when investigating and responding to complaints. Template letters are also in place to support staff which includes details of the stage, the outcome with an explanation, any remedies to put things right and/or follow on actions where appropriate and details of how to escalate a complaint to stage two if the customer remains dissatisfied.
6.8	Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1	Yes	Complaints Policy	Policy stipulates that if issue is related to original complaint this will be included in stage 1

	response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.			response. If it is unrelated, or would delay the response a new complaint will be opened.
6.9	Landlords must confirm the following in writing to the resident at the completion of stage 1 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 stage 2 if the individual is not satisfied with the response.	Yes	Complaints Policy	Staff responsible for investigating and responding to complaints are trained on effective complaint handling which includes aspects to consider when investigating and responding to complaints. Template letters are also in place to support staff which includes details of the stage, the outcome with an explanation, any remedies to put things right and/or follow on actions where appropriate and details of how to escalate a complaint to stage two if the customer remains dissatisfied.

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	Yes	Complaints Policy	An exclusion list is provided in policy where complaints may not be escalated to a stage 2.

	landlord's procedure. Stage 2 is the landlord's final response.			Otherwise Policy and Procedure stipulates that a complaint must be progressed to stage 2, and if not a clear explanation provided as to why.
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	Complaints Policy	Policy stipulates all complaints must be acknowledged within five working days.
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	Complaints Policy	Policy states that Complaints Team must confirm understanding of issues and desired outcome on receipt of escalation.
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.	Yes	Complaints Policy	The Complaints Team review stage 2 complaints and only allocate to someone not involved at stage one.
6.14	Landlords must issue a final response to the stage 2 within 20 working days of the complaint being acknowledged.	Yes	Complaints Policy	All stage two complaints will be responded to within 20 working days. The Complaints Policy includes good reason why a complaint may be extended. Any extensions will be agreed with customers and will not exceed a further 10 days without good reason.
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	Yes	Complaints Policy	All extensions must be agreed between lead responder and customer with clear reasoning for extension given.

	extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident. When an organisation informs a resident			Policy stipulates HOS contact
6.16	about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes	Complaints Policy	details to be provided when advising of an extension.
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	Complaints Policy	Complaints Procedure requires complaints to be answered as soon as possible with a nominated individual identified to provide updates on outstanding actions within response.
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.			Staff responsible for investigating and responding to complaints are trained on
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	Yes	Complaints Policy	effective complaint handling which includes aspects to consider when investigating and responding to complaints. Template letters are also in place to support staff which includes details of the stage, the outcome with an explanation, any remedies to put things right and/or follow on actions where appropriate.

	Service if the individual remains dissatisfied.			
6.20	Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.	Yes	Complaints Policy	Stage 2 responses are allocated to Senior Management Team members for response as per Policy

Section 7: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
7.1	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:	Yes	Complaints Policy	Staff responsible for investigating and responding to complaints are trained on effective complaint handling which includes acknowledging when something has gone wrong, apologising, and setting out actions to put things right with detailed timescales. A Compensation Policy is in place which sets out the circumstances redress will be offered and the values that will be considered. Guidance documents issued by the Ombudsman and template letters are also in place to support staff with complaint investigations.

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.		
7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.		

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: a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements. b. a qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept; c. any findings of non-compliance with this Code by the Ombudsman; d. the service improvements made as a result of the learning from complaints; e. any annual report about the landlord's performance from the Ombudsman; and f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.	Yes	Complaints Policy	Policy stipulates that an annual complaints performance report will be produced within twelve weeks of the end of the previous financial year.
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.	No		First annual complaints performance and service improvement report to be reported in October 2024.

	The governing body's response to the report must be published alongside this.			
8.3	Landlords must also carry out a self- assessment following a significant restructure, merger and/or change in procedures.	N/A	N/A	N/A
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	N/A	N/A	N/A
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.	N/A	N/A	N/A

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.			All complaint learnings are reviewed by Heads of Service/Directors to ensure
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	Complaints Policy	key trends are identified and changes made to service delivery implemented as needed.
9.3	Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.	Yes	Complaints Policy	Complaints learnings are reported to Senior Management Team, Board, Customer Panel and included in annual report.
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	Complaints Policy	Director of Operations (Housing) is accountable or complaint handling with Senior Management Team all having a role in ensuring there is a positive complaints culture. The Complaints Team provides a monthly report for review by SMT, and quarterly reports for review by Board.
9.5	In addition to this a member of the governing body (or equivalent) must be	No		

9.6	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'). 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.			A Member Responsible for Complaints (MRC) to be agreed at Board.
9.7	As a minimum, the MRC and the governing body (or equivalent) must receive: a. regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance; b. regular reviews of issues and trends arising from complaint handling; c. regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and d. annual complaints performance and service improvement report.	Yes	Complaints Policy	Regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance; regular reviews of issues and trends arising from complaint handling; regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and Complaints learnings are reported to Senior Management Team, Board, Customer Panel and included in annual report.
9.8	Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:	Yes	Complaints Policy	Senior Management Team all have a role in ensuring there is a positive complaints culture across the organisation which

a. have a collaborative and co- operative approach towards resolving complaints, working with colleagues across teams and departments; b. take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and c. act within the professional standards for engaging with complaints as set by any relevant professional body.	is supported by a clear Complaints Policy and Procedure that sets out the approach for managing complaints at Ability.
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