

Complaint Handling Code changes – easy reference guide

This document sets out the changes made to the Code 2022 through consultation in autumn 2023. For ease of reference, each provision of the Code 2022 has been included, along with the updated provision number and wording (where applicable). We have included our reasons for the change where required.

Note: this easy reference guide does not detail the full Statutory Code, rather it sets out how the Code 2022 has been amended.

Code 2022		Statutory Complaint Handling Code		Commentary
Par.	Wording (previous)	Para	Wording (new)	
1.1	Effective complaint handling enables residents to be heard and understood. The starting point for this is a shared understanding of what constitutes a complaint.	1.1	Effective complaint handling enables residents to be heard and understood. The starting point for this is a shared understanding of what constitutes a complaint.	Unchanged
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.	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>	Unchanged
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.	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.	Amended in response to feedback to give choice to residents.
1.4	Landlords should recognise the difference between a service request and a complaint. A	1.4	Landlords must recognise the difference between a service request and a	Updated to two provisions (1.4 and 1.5) for clarity.

	service request is a request from a resident to their landlord requiring action to be taken to put something right. Service requests should be recorded, monitored and reviewed regularly. A complaint should be raised when the resident raises dissatisfaction with the response to their service request. For further guidance on how to decide whether the approach is a service request or a complaint, see our flow charts and example case studies in Appendix 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.	Updated to clarify that service requests are not necessarily a complaint.
		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.	
1.5	Survey feedback may not necessarily need to be treated as a complaint, though, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to.	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.	Amended in response to feedback to give choice to residents.
1.6	Chasers on a service request, such as a missed appointment, can often be resolved 'there and then' with an apology and the provision of another appointment and may not need to enter the complaints system. However, if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.			Removed as the intention is set out in paragraph 1.5 above

1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	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.	Moved to paragraph 2.1 (exclusion) for clarity. Amended in response to feedback about excluding complaints.
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. For example: • The issue giving rise to the complaint occurred over six months ago. However, it may not be appropriate to exclude any complaints that concern safeguarding or health and safety issues. • 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.	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.	Amended to clarify that complaints policies must set out exclusions. Amended through consultation to confirm that exclusions should not apply to complaints where the issue is less than 12 months old.
		2.3	Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.	New provision

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. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may instruct the landlord to take on the complaint.	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.	Minor amendment to working to ensure clarity.
		2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	New provision
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.	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.	Amended to clarify landlords' obligation to consider their duties under the Equality Act 2010 and reasonable adjustments of residents.
2.2	Where a landlord has set up channels to communicate with its residents via social media, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.			Removed as the intention is set out in paragraph 3.1.
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	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	Amended for clarity.

	timeframes for responding.		each stage, and the timeframes for responding. The policy must also be published on the landlord's website.	
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.			Removed as the intention is set out in paragraph 3.4.
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.	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.	Amended for clarity.
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.			Removed as the intention is set out in paragraph 3.4.
2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	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.	Moved and amended for clarity.
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. This affords the resident the opportunity to engage with the Ombudsman's dispute support advisors for impartial advice.	3.7		
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	4.1	Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints	Amended for clarity, and to reflect provisions set out in paragraph 9.4.

	governing body. This Code will refer to that person or team as the “complaints officer”. For some organisations, particularly smaller landlords, the Ombudsman recognises that this role may be in addition to other duties. The role is responsible for ensuring that appropriate arrangements are in place for liaison with the Housing Ombudsman and appropriate cover exists to ensure consistency of service.		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.	
3.2	The complaints officer may allocate complaints handling to another person. Where this is the case, the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	5.8c	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.	Moved and amended for clarity.
3.3	Effective complaint handling skills are one of the most important factors in ensuring that the complaints handling works well. Complaint handlers should: • be able to act sensitively and fairly • be trained to handle complaints and deal with distressed and upset residents • have access to staff at all levels to facilitate quick resolution of complaints • have the authority and autonomy to act to resolve disputes quickly and fairly.			
3.4	Residents are more likely to be satisfied with complaint handling if the person dealing with their complaint is competent, empathetic and efficient.			Removed.
4.1	The Ombudsman encourages the early and local resolution of issues between landlords and residents and recognises that there may be times appropriate action can be agreed immediately. 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	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.	Amended for clarity

	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 .			
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.	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.	Amended to confirm that the complaint definition must be clarified at both stages of the complaint process.
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic.	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.	Amended for clarity.
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.	5.13	Landlords must have processes in place to ensure that a complaint can be remedied at any stage of its complaints process. Landlords must ensure that appropriate remedies can be provided at any stage of the complaints process without the need for escalation.	Amended for clarity.
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		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	Moved to accessibility and awareness for clarity.

	where this is reasonable.		meeting with the landlord.	
4.6	A complaint investigation must be conducted in an impartial manner, seeking sufficient, reliable information from both parties so that fair and appropriate findings and recommendations can be made.	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.	Amended for clarity.
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.	5.8		
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 and seek clarification before doing so where this is not initially clear.			Removed as the intention is set out in paragraph 5.8.
4.9	Communication with the resident should not generally identify individual members of staff or contractors as their actions are undertaken on behalf of the landlord.			Removed in response to feedback.
4.10	Landlords should keep residents regularly updated about the progress of the investigation even where there is no new substantive information to provide.	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.	Amended for clarity.
4.11	Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication.	5.10	Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any	Amended for clarity.

			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.	
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.	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.	Amended for clarity
4.13	A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint.	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.	Amended in response to feedback.
4.14	A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action. Reasons for declining to escalate a complaint must be clearly set out in a landlord's complaints policy and must be the same as the reasons for not accepting a complaint.	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.	Amended for clarity.

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.	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.	Amended for clarity
4.16	Landlords should seek feedback from residents in relation to the landlord's complaint handling as part of the drive to encourage a positive complaint and learning culture.	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.	Amended for clarity and moved as this relates to continuous learning and improvement.
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.			
4.18	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.	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.	Amended for clarity, and to confirm that landlords must make evidence-based decisions that are regularly reviewed.
4.19	Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.	5.10	Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.	Amended for clarity.
5.1	Landlords must respond to the complaint within 10 working days of the complaint being logged.	6.3	Landlords must issue a full response to stage 1 complaints <u>within 10 working</u>	Amended in response to feedback. This confirms the 10

	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.		days of the complaint being acknowledged.	days is from the date the complaint is acknowledged.
5.2	If an extension beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	6.4	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident.	Amended in response to feedback and for clarity.
5.3	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	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.	Amended in response to feedback. This sets out that residents must be provided with the contact details of the Ombudsman, regardless of whether extensions have been agreed.
5.4	Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident.			Removed as the intention is set out in paragraph 5.8.
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.	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.	Amended for clarity.

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.	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.	Unchanged.
5.7	Where residents raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.	6.8	Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.	Amended in response to feedback and for clarity.
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 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 stage two if the resident is not satisfied with the answer	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.	Amended for clarity.
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be	6.10	If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it	Amended in response to feedback.

	progressed to stage two of the landlord's procedure, unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.		must be progressed to stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.	
5.10	On receipt of the escalation request, landlords must set out their understanding of issues outstanding and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	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.	Amended in response to feedback. This now confirms that escalation requests must be acknowledged within five working days.
5.11	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.			Removed.
5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.	Unchanged.
5.13	Landlords must respond to the stage two complaint within 20 working days of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	6.14	Landlords must issue a final response to the stage 2 <u>within 20 working days</u> of the complaint being acknowledged.	Amended in response to feedback. This now confirms that landlords must issue its stage 2 response within 20 working days of the complaint being acknowledged.
5.14	If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	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	Amended for clarity and consistency in approach between stage 1 and stage 2.

			resident.	
5.15	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	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.	Amended in response to feedback. This sets out that all residents must be provided with the contact details of the Ombudsman, regardless of whether extensions have been agreed.
5.16	Landlords must confirm the following in writing to the resident at the completion of stage two 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 and • if the landlord has a third stage, details of how to escalate the matter to stage three • if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.	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.	Amended through the consultation to confirm that complaints processes with more than two stages are not acceptable.
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.	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.	Removed through consultation; complaints processes with more than two stages are not acceptable.
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage			

	review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint 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 for when the stage three response will be received should be provided to the resident.			
5.19	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.			
5.20	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			
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. These can include: • acknowledging where things have gone wrong • providing an explanation, assistance or reasons • apologising	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: • Apologising; • Acknowledging where things have gone wrong; • Providing an explanation,	Amended for clarity.

	• taking action if there has been a delay • reconsidering or changing a decision • amending a record • providing a financial remedy • changing policies, procedures or practices.		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.	
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.	7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.	Amended for clarity.
6.3	Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.	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.	Amended for clarity and moved as this relates to continuous learning and improvement.
6.4	Factors to consider in formulating a remedy can include, but are not limited to, the: • length of time that a situation has been ongoing • frequency with which something has occurred • severity of any service failure or omission • number of different failures • cumulative impact on the resident • resident's particular circumstances or vulnerabilities.	7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.	Amended to signpost landlords to wider guidance and good practice issued by the Ombudsman.
6.5	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to	7.3	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any	Unchanged

	completion.		remedy proposed must be followed through to completion.	
6.6	In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused.	7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.	Amended to signpost landlords to wider guidance and good practice issued by the Ombudsman.
6.7	In some cases, a resident may have a legal entitlement to redress. The landlord should still offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.			
6.8	For further information on remedies please see https://www.housing-ombudsman.org.uk/about-us/corporate-information/policies/dispute-resolution/policy-on-remedies/			
7.1	A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes, the quality of the service provided, the ability to learn and improve, and the relationship with their residents. The Ombudsman encourages landlords to use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.	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.	Amended for clarity.
7.2	Accountability and transparency are integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.	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.	Amended for clarity.
7.3	A member of the governing body should be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This role will be responsible for	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	Amended for clarity.

	ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance.		handling culture. This person is referred to as the Member Responsible for Complaints ('the 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.	
7.4	As a minimum, governing bodies should receive: • Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders • Regular reviews of issues and trends arising from complaint handling, • The annual performance report produced by the Ombudsman, where applicable • Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.	9.	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) the annual complaints performance and service improvement report.	Amended for clarity.
7.5	Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.			
7.6	Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to:	9.8	Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that	Amended in response to feedback.

	• have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments • take collective responsibility for any shortfalls identified through complaints rather than blaming others • act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing.		reflects the need to: 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.	This clarifies that standard objectives must be set for all <u>relevant</u> employees.
8.1	Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.	8.1a)	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.	Introduces the requirement for landlords to produce annual complaints reporting which must include the self-assessment.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Amended for clarity.
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	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	Amended for clarity.

			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.	
		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.	
8.4	The Ombudsman may require landlords to repeat the self-assessment following a formal investigation if there are significant concerns over the landlord's complaint handling.	8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	Amended for clarity
9.1	Under the Housing Ombudsman Scheme a member landlord must: • agree to be bound by the terms of the Scheme • establish and maintain a complaints procedure in accordance with any good practice recommended by the Ombudsman • as part of that procedure, inform residents of their right to bring complaints to the Ombudsman under the Scheme • publish its complaints procedure and where applicable, its membership of the Scheme, and make information about both easily accessible to those entitled to complaints on its website and in			Removed. These requirements are set out in the Scheme.

	correspondence with residents • manage complaints from residents in accordance with its published procedure or, where this is not possible, within a reasonable timescale.			
9.2	Failure to comply with the conditions of membership may result in a Complaint Handling Failure Order and a requirement to rectify within a given timescale (paragraphs 13 and 73 of the Housing Ombudsman Scheme). Full details of when the Ombudsman will determine that there has been a complaint handling failure can be found in our <u>guidance document</u>.			Removed. These requirements are set out in the Scheme.
9.3	When carrying out a complaint investigation the Ombudsman will consider whether the landlord dealt with the complaint in accordance with the Code. Any failure identified could result in a finding of service failure, maladministration or severe maladministration for complaint handling and orders and recommendations will be made to put matters right and ensure compliance with the Code.			Removed. These requirements are set out in the Code Compliance Framework.