

Appendix 2 - Code Self-Assessment

Shropshire Council has not yet implemented the new Complaints Handling Code outlined in section 13. A decision was taken by the previous administration to delay decision making until 2025 due to organisational pressures and other priorities. The new administration (Cabinet) will consider the requirement to implement the Code alongside this report. A step towards implementation includes the publication of an annual self-assessment to demonstrate compliance. This self-assessment acts as a baseline, pre-implementation with progress expected to be reported in 12 months' time.

Code section	Compliance?	Comments
1. Definition of a service request and complaint		
1.1 Adopt a shared understanding of what constitutes a service request and what constitutes a complaint. (1.2 to 1.4 set out definitions). This should be set out within the complaints policy.	Not yet	The complaints procedure will need to be updated.
1.5 A complaint that is submitted via a third party or representative should still be handled in line with the organisation's complaints policy.	Yes	This is in line with current practice.
1.6 Organisations should recognise the difference between a service request and a complaint . This should be set out in their complaints policy.	Partly	Differences included but wording to be updated with Ombudsman's new definitions.
1.7 Organisations should have the opportunity to deal with a service request before a complaint is made. A complaint may be raised when the individual expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing.	Yes	This is in line with current practice.
1.8 Service requests should be recorded, monitored and reviewed regularly.	No	This is an organisational issue beyond complaints processes.
1. Exclusions		
2.1 and 2.4 If the organisation decides not to accept a complaint, it should be able to evidence its reasoning and communicate to the complainant. Each complaint should be considered on its own merits.	Yes	This is in line with current practice.
2.2 Organisations should accept complaints referred to them within 12 months of the issue occurring, or the individual becoming aware of the issue. Discretion may be applied in some circumstances.	Yes	This is in line with current practice.
2.3 Exclusions should be set out within the complaints policy/procedure.	Partly	Some changes are required as the procedure is updated.
2.4 and 2.5 If an organisation decides not to accept a complaint, an explanation should be provided to the individual. Organisations should not take a blanket approach to excluding complaints; they should consider the individual circumstances of each complaint.	Yes	This is in line with current practice.
2. Accessibility and awareness		
3.1A Organisations should make it easy for individuals to complain by providing different channels through which they can make a complaint.	Yes	This is in line with current practice.

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3.1B Organisations must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of individuals who may need to access the complaints process.	Partly	This appears to be in line with current practice although clear guidance would be helpful.
3.2 Individuals should be able to raise their complaints in any way and with any member of staff. All staff should be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the organisation.	Partly	This is in line with current practice, but staff members may need reminders.
3.3 High volumes of complaints should 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 individuals are unable to complain.	Yes	This is communicated in current performance reporting.
3.4 Organisations should make their complaint policy available in a clear and accessible format.	Yes	This is in line with current practice although an update is required.
3.5 The policy should include details about the Ombudsman and the Code.	Yes	This is in the current procedure and when updated will remain.
3.6 Organisations should give individuals the opportunity to have a suitable representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the organisation.	Yes	This is in line with current practice.
3.7 Organisations should provide individuals with information on their right to access the Ombudsman service.	Yes	This is in line with current practice.
3.8 Where an organisation asks for feedback about its services through a survey, it should provide details of how individuals can complain.	No	This is a significant additional requirement and may generate complaints.
3. Complaint handling resources		
4.1 Organisations should have designated, sufficient resource assigned to take responsibility for complaint handling, including liaison with the relevant Ombudsman and ensuring complaints are reported to the governing body (or equivalent).	Unclear	Clarification of the Ombudsman's expectation of 'sufficient' would be helpful.
4.2 Anyone responding to a complaint should have access to staff at all levels to facilitate the prompt resolution of complaints. They should also have the authority and autonomy to act to resolve disputes promptly and fairly.	Yes	Staff at all levels are engaged in the complaint process.
4.3 Organisations are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff should be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and resourced accordingly	No	A training programme will need to be implemented.
4. The complaint handling process		
5.1 Organisations should have a single policy for dealing with complaints covered by the Code.	Yes	This is current practice although the existing policy will need updating.
5.2 Organisations should not have extra named stages (such as 'stage 0' or 'informal complaint') as this causes unnecessary confusion.	Yes	This is in line with current practice.
5.3 When an individual expresses dissatisfaction that could meet the criteria for a complaint as set out in	Yes	This is in line with current practice, but a review is

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section 1 of the Code, they should be given the opportunity to make a complaint.		recommended in line with IT system changes.
5.4 The person responding to the complaint should: <ul style="list-style-type: none"> clarify with the individual any aspects of the complaint they are unclear about; deal with complaints on their merits, act independently, and have an open mind; give the individual a fair chance to set out their position; take measures to address any actual or perceived conflict of interest; and consider all relevant information and evidence carefully. 	Yes	This is in line with current good practice but will need to be included in staff training.
5.5 Where a response to a complaint will fall outside the timescales set out in this Code the organisation should inform the individual of when the response will be provided and the reason(s) for the delay.	Yes	This is in line with current practice, but a review is recommended due to limited staff capacity.
5.6 Organisations should keep a record of any reasonable adjustments agreed. Any agreed reasonable adjustments should be kept under active review.	No	The current IT system does not allow this recording. This is a new requirement.
5.7 Organisations should not refuse to escalate a complaint through all stages of the complaints procedure unless there are valid reasons to do so. Organisations should clearly set out these reasons, and they should align with the approach to exclusions set out in section 2 of the Code.	Yes	This is in line with current practice.
5.8 A full record should be kept of the complaint, and the outcomes at each stage. This should include the original complaint and the date received, all correspondence with the individual, correspondence with other parties, and any relevant supporting documentation such as reports. This should be retained in line with the organisation's data retention policies.	Yes	This is in line with current practice.
5.9 and 6.10 Organisations should have systems in place to ensure that a complaint can be remedied at any stage of its complaints process. Individuals should not have to escalate a complaint in order to get an appropriate remedy.	Partly	Recommended for review.
5.10 and 5.11 Organisations should have policies and procedures in place for managing unacceptable behaviour from individuals and/or their representatives. Organisations should be able to evidence reasons for putting any restrictions in place and should keep an individual's restrictions under regular review. Restrictions should be proportionate and have regard for the Equalities Act 2010.	Yes	This is in line with current practice.
5. Complaints stages		
6.1 Organisations should have processes in place to consider which complaints can be responded to as early as possible, and which require further consideration. Organisations should consider factors such as the complexity of the complaint and whether the individual is vulnerable or at risk. Most	Partly	The challenge is achieving any resolution or prioritisation consistently across service areas.

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stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the individual.		
6.2 Complaints should be acknowledged and logged at stage 1 of the complaints procedure within five working days of the complaint being received.	Yes	This is in line with current practice.
6.3 Organisations should provide a full response to stage 1 complaints within 10 working days of the complaint being acknowledged.	No	This is a new requirement and significant timescale change.
6.4 and 6.5 Any extension should be no more than 10 working days without good reason, and the reason(s) should be clearly explained to the individual. When an organisation informs an individual about an extension to these timescales, they should be provided with the details of the relevant Ombudsman.	No	This is a new requirement.
6.6 A complaint response should be provided to the individual when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions should still be tracked and actioned promptly, with appropriate updates provided to the individual.	Partly	Responses are provided when the answer is known but the central team do not have the level of resources required track and report all actions.
6.7 Organisations should address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate. Organisations should be clear which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear.	Partly	Complaint investigators do not always reference relevant policies within responses and do not always make responsibilities clear.
6.8 At the conclusion of stage 1 organisations should provide details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.	Yes	This is in line with current practice.
6.9 Where individuals raise additional complaints during stage 1, these should be incorporated into the stage 1 response if they are related, and the stage 1 response has not been provided. Where the stage 1 response has been provided, the new issues are unrelated to the issues already being considered, or it would unreasonably delay the response, the new issues should be logged as a new complaint.	Yes	This is in line with current practice.
6.11 If all or part of the complaint is not resolved to the individual's satisfaction at stage 1, it should be progressed to stage 2 of the organisation's procedure. Stage 2 is the organisation's final response.	Yes	The current way of working is largely in line with this but this could lead to increases in stage 2 requests.
6.12 Requests for stage 2 should be acknowledged and logged at stage 2 of the complaints procedure within five working days of the escalation request being received.	Yes	This is in line with current practice although demand is currently exceeding staff capacity and delays are occurring as a result.
6.13 Individuals should not be required to explain their reasons for requesting a stage 2 consideration. Organisations should make reasonable efforts to understand why an individual remains unhappy as part of its stage 2 response.	No	This is a new requirement.

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6.14 The person considering the complaint at stage 2 should not be the same person that considered the complaint at stage 1.	Yes	This is in line with current practice.
6.15 Organisations should issue a final response to the stage 2 within 20 working days of the complaint being acknowledged.	No	This is a new requirement.
6.16 Any extension should be no more than 20 working days without good reason, and the reason(s) should be clearly explained to the individual.	No	This is a new requirement although stage 2 responses would not usually exceed 40 days.
6.18 and 6.19 Organisations should confirm the following in writing to the individual at the completion of stage 2 in clear, plain language: <ul style="list-style-type: none"> • the complaint stage; • the organisation's understanding of the complaint; • the decision on the complaint; • the reasons for any decisions made; • details of any remedy offered to put things right; • details of any outstanding actions; and • details of how to escalate the matter to the Ombudsman if the individual remains dissatisfied. Stage 2 should be the organisation's final response and should involve all suitable staff members needed to issue such a response.	Yes	This is in line with current practice.
6.21 Where an organisation's complaint response is handled by a third party (e.g. a contractor) or independent adjudicator at any stage, it should form part of the two stage complaints process set out in this Code. Individuals should not be expected to go through two complaints processes.	Yes	This is in line with current practice.
6.22 Organisations are responsible for ensuring that any third parties handle complaints in line with the Code.	No	Activity will be required to communicate new expectations and monitor compliance.
6. Putting things right		
7.1 Where something has gone wrong an organisation should acknowledge this and set out the actions it has already taken, or intends to take, to put things right.	Yes	This is in line with current practice.
7.2 and 7.3 Any remedy offered should reflect the impact on the individual as a result of any fault identified. The remedy offer should clearly set out what will happen and by when and be followed through to completion.	No	This is a new requirement and require significant change including IT system changes.
7.4 and 7.5 If a proposed remedy cannot be delivered the individual should be informed of the reasons for this, provided with details of any alternative remedy and reminded of their right to complain to the Ombudsman. Organisations should take account of the good practice guides when deciding on appropriate remedies.	No	Shropshire Council will need to undertake work to develop a local policy/procedure in relation to remedies and develop resources to assist complaints investigators in identifying remedies.
7. Performance reporting and self-assessment		
8.1 Organisations should produce an annual complaints performance and service improvement report for scrutiny.	Yes	Changes to the annual report have been incorporated.

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<ul style="list-style-type: none"> an annual self-assessment against this Code to ensure its complaint handling policy remains in line with its requirements. 	Yes	This self-assessment
<ul style="list-style-type: none"> a qualitative and quantitative analysis of the organisation's complaint handling performance. This should also include a summary of the types of complaints the organisation has refused to accept; 	Yes	Included within this report
<ul style="list-style-type: none"> any findings of non-compliance with this Code; 	Partly	
<ul style="list-style-type: none"> the service improvements made as a result of the learning from complaints; 	No	Limited examples only.
<ul style="list-style-type: none"> the annual letter about the organisation's performance from the Ombudsman; 	Yes	Included as Appendix 1
<ul style="list-style-type: none"> any other relevant reports or publications produced by the Ombudsman in relation to the work of the organisation. 	Yes	Not applicable – no reports from the Ombudsman.
8.2 The annual complaints performance and service improvement report should be reported through the organisation's governance arrangements and published on the section of its website relating to complaints. The response to the report from the relevant governance arrangement should be published alongside this.	Yes	This is in line with current practice other than publishing the response to the report within the report on the complaints webpages.
8.3 Organisations should also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Partly	The self-assessment is produced but significant work is required.
8. Scrutiny & oversight: continuous learning and improvement		
9.1 Organisations should 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.	Mixed	This is hard to assess for the whole organisation and varies service to service.
9.2 A positive complaint handling culture is important to the effectiveness with which organisations resolve disputes. Organisations should use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.	No	The complaints handling culture is not positive at present and requires improvement.
9.3 Organisations should report back on wider learning and improvements from complaints to stakeholders, such as citizens' panels, staff and relevant committees.	No	Complaints reports were previously shared with the Making it Real Board but there are no current arrangements.
9.4 The organisation should appoint a suitably senior person to oversee its complaint handling performance. This person should assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.	Yes	The Complaints Monitoring Officer is a senior role. The Complaints Manager role may need review following organisational changes.
9.5, 9.6 and 9.7 The 'Member responsible for complaints' should receive regular information on complaints performance (including the annual report) and have access to staff. As a minimum, the Member should receive: <ul style="list-style-type: none"> regular updates on the volume, categories, and outcomes of complaints, alongside complaint handling performance regular reviews of issues and trends arising from complaint handling; and 	Yes	Reporting to the lead member is in place and quarterly reports have been/will be provided.

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<ul style="list-style-type: none"> the annual complaints performance and service improvement report. 		
9.8 Organisations should have a standard objective in relation to complaint handling for all relevant employees or third parties (includes taking responsibility, collaboration across departments and acting within professional standards).	Partly	Complaint handling is referred to within job description templates for managers referred to within model contracts for third party providers.