

Cheshire West and Chester Council
Housing Management
Complaints Policy

1 MANAGEMENT INFORMATION

Approval Date	30 June 2023
Next Review Date	29 June 2025
Responsible Service Area	Strategic Housing and Commissioning
Responsible Director	Gemma Davies, Director Economy and Housing

UNCONTROLLED IF PRINTED

Aim of Policy

This policy outlines how we will put things right should a tenant or customer complain to us.

We welcome complaints and actively encourage tenants and customers to express their dissatisfaction to us. All expressions of dissatisfaction are a positive opportunity to gather intelligence and insight that will help us improve.

Our approach follows The Housing Ombudsman's Complaint Handling Code, March 2022, which sets out requirements to respond to complaints effectively and fairly. We acknowledge that this enables us to resolve complaints quickly and provides data and learning to drive service improvements. We publicise this code and the Housing Ombudsman Service to customers.

This policy applies to all housing management services and homeless support services delivered on behalf of Cheshire West and Chester (CW&C) Council. Organisations providing services on behalf of ForHousing will be expected to follow this Policy. This policy does not apply in the following situations, and complaints will not be accepted in these circumstances:

- where ForHousing delivers services on behalf of another organisation
- where legal action has been taken or is planned, except for disrepair
- issues that would be covered by insurance claims
- issues involving a member of staff covered by HR policies
- issues which have already exhausted the complaints process

Issues covered by HR policies will be handled through these policies and outside of this complaints policy. Staff members or third parties should not, where possible, be named in correspondence. Any staff member who is the subject of the complaint is given a fair chance to set out their position before a final decision is made.

For the purposes of this policy the term **complainant** refers to any tenant or customer including leaseholders, shared owners or housing waiting list applicants, or any person acting on their behalf, who communicate an expression of dissatisfaction to us.

Related Legislation and Regulation

[The Housing Ombudsman's Complaint Handling Code, March 2022.](#)

Policy

Complaints can be made by phone, email, in person through appointments, through my account, through an electronic form on our website and on social media.

A **complaint** is “an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by ForHousing, including staff and those acting on our behalf, affecting customers or group of customers”.

The customer does not have to use the word ‘complaint’ for it to be treated as such. We accept complaints within six months of the event but will use discretion to consider cases outside this timescale.

A **service request** is “a request from a customer requiring action to put something right”, examples include reporting:

- a new repair
- a new incident of anti-social behaviour
- an appointment we or our contractors have not met

Service requests are resolved ‘there and then’, or at most within a few hours. Service requests are recorded, monitored and reviewed regularly to inform service improvements. A complaint is raised when the customer raises dissatisfaction with the response to their request or because they have asked for one to be raised.

How complaints are handled

The complaints process comprises of two stages.

Stage 1 Expression of dissatisfaction - Establishes the details of the complaint, including its cause, and attempts to offer a suitable remedy that meets the complainant's expectations.

This initial response stage triages and logs the complaint to identify and agree an appropriate remedy with the complainant. An expression of dissatisfaction is:

- acknowledged and logged within 5 working days from the date received
- responded to within 10 working days of the complaint being logged - after evidence is assessed

Acknowledgements set out our understanding of the complaint and the outcomes the complainant is seeking. Acknowledgements can be made by email, webchat or other online systems, except social media. They can also be made verbally, in person or over the phone, or by letter.

The person who receives the complaint identifies the appropriate 'complaint handler'. An appropriate complaint handler is located in the team responsible for the service but has not been involved in the source of the complaint sufficiently to have a conflict of interest.

The complaint handler takes ownership and responsibility for handling the complaint and is the complainant's single point of contact until an agreed remedy has been delivered and/or the expression of dissatisfaction has been escalated to the next stage.

Complaint handlers are trained to handle complaints and are also able to support distressed and upset customers. The complaint handler:

- agrees with the complainant the frequency and method of communication
- manages expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic
- deals with complaints sensitively and fairly, carefully considering all information and evidence
- acts independently and with an open mind, taking measures to address any actual or perceived conflict of interest
- has access to staff at all levels to facilitate the quick resolution of complaints
- has the authority and autonomy to act to resolve disputes quickly and fairly
- keeps the complaint confidential, as far as possible, with information only disclosed if necessary to properly investigate the matter
- sets out any legal obligations for both parties relating to the complaint

Additional complaints are logged with existing complaints if they are relevant, and as long as it would not unreasonably delay the management of the existing issue. In these circumstances, following discussion with the tenant, a new complaint will be logged.

Response times will not exceed the 10 working days without good reason and an extension exceeding 20 working days will be agreed by both parties, but only where needed to fully respond to the complaint. If we cannot agree this extension with the complainant we will provide the complainant with The Housing Ombudsman's contact details to raise awareness of the option to challenge our response time.

The response is confirmed in writing and addresses all points raised in the complaint in clear, plain language. It is sent when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. It includes:

- the complaint stage
- the decision on the complaint
- the reasons for any decisions made
- the details of any remedy offered to put things right
- details of any outstanding actions
- details of how to escalate the matter to stage two if the complainant is not satisfied with the answer

Stage 2 escalation- Involves a ‘consideration’ of the complaint

Escalation to Stage 2 can only occur once Stage 1 has been completed **and** the complainant has requested it. Escalations can be made within two months of the Stage 1 complaint being closed, but we will use discretion to consider cases outside this timescale.

A Stage 2 complaint is responded to within 20 working days of escalation. The Business Support function will consider the complaint, as the complaint handler, as they will not have been involved in handling the complaint previously, such as at Stage 1.

We may provide an explanation to the complainant with a clear timeframe for when the response will be received, but this will not exceed a further 10 days without good reason.

The response is confirmed in writing and addresses all points raised in the complaint in clear, plain language. It is sent when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. It includes:

- 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

Closure of complaints

A complaint is closed once the remedy and timescale for delivery have been agreed with the complainant. Agreed actions are tracked and completed as soon as possible, with regular updates provided to the complainant.

Compensation

Discretionary compensation is considered on a case by case basis and we adopt an evidence based approach. Further guidance can be found in the Compensation Procedure.

Learning from complaints

We analyse complaints to understand where things have gone wrong and to identify what we can do to stop this happening again. We publicise the improvements we have made as a direct result of this feedback, so tenants and customers can see how their feedback has improved standards of service. We also recognise the jurisdiction of The Housing Ombudsman Service and will implement recommendations resulting from their investigations.

We will also record the reasons for complaints being escalated as customer feedback on how their initial complaint was handled. This will provide opportunity for learning on future complaints handling.

Governance

Our Business Support function coordinating complaint handling across ForHousing ensures complaints are handled appropriately in line with this policy, with performance reported to the relevant groups.

Confidentiality

All complaints are treated in confidence. Personal information about the complainant is only shared internally when strictly necessary to deliver the agreed remedy. Details of the complaint will only be shared externally with the complainant's consent. Where complaints have been received via a Councillor, MP, or recognised advice agency, we assume consent has been given.

Unreasonable behaviour

Where a complainant pursues their complaint in an aggressive, abusive, or threatening manner, or repeatedly pursues complaints which have already been through and exhausted our complaints handling process consideration will be given to applying the Unreasonable Behaviour Procedure.

How the Policy will be delivered

This policy will be delivered by all teams within ForHousing and is monitored through the Business Support function.

It is part of all manager roles to understand and cascade the policy and guidance to their teams and designated complaints handler.

Complaints are part of departmental meetings.

Learning and service improvement will be identified and captured by department leads as part of complaints review.

Staff involved in the complaints process will be trained in this policy and related procedures.

Complaints will be recorded through the customer information management system and reported via a complaints dashboard which is available to teams and managers across the Housing Management Contract.

Complaints are contained within the suite of key performance indicators which are routinely reported through the governance arrangement at ForHousing.

Satisfaction with complaints handling is part of the tenant satisfaction measures that are collected and reported in line with the regulatory guidance.

We will undertake internal audits every quarter to monitor compliance with the complaint response times and quality of responses.

We will publish information about the complaints we receive every year on our website in the Annual Report. This will include the number, nature, and outcome of complaints and how we learned from complaints and applied that learning to improve our services.

Related documents

Unreasonable Behavior Procedure
 Compensation Procedure (under review)
 Complaints Handling Guidance
 Cheshire West and Chester Complaints Panel Review Procedure

Equality analysis - Inclusive Decision Making Framework (IDMF) analysis

Date of approved IDMF analysis	<p>This policy complies with The Housing Ombudsman’s Complaint Handling Code. The Housing Ombudsman provides information on how the code has ensured complaints handling is accessible on their website.</p> <p>This policy is also scheduled to be reviewed by the EDI Service Excellence Group.</p>
Actions taken forward to mitigate any potential negative impact	<p>The application of the Policy will be monitored to understand the impact on customers ensuring Equity, Diversity, and Inclusion.</p>

Data Protection Impact Assessment

Data Protection Impact Assessment (DPIA)

Under the UK GDPR and the Data Protection Act 2018, you are required to carry out a DPIA when developing a new Policy or Procedure that will have a widespread or serious impact on data held on individuals. Careful consideration should be given as to whether the policy or process will have an impact on any processing of personal information that is large scale, involves profiling or monitoring, decides on access to services or opportunities, or involves sensitive data or vulnerable individuals. Information and support regarding this can be obtained from the Data Protection Officer (DPO).

Has a DPIA been completed?	18.10.22 with DPO
If a DPIA has been completed, was the DPO consulted?	Yes
If a DPIA has been completed, were any risks identified?	No - As this is a policy it does not impact data.
If risks were identified as part of the DPIA process, have mitigation actions been identified?	No

Consultation and business intelligence

As CW&C is a member of the Housing Ombudsman Scheme we are required to comply with the requirements of the [Housing Ombudsman's Complaint Handling Code](#) which was updated in March 2022.

Monitoring arrangements

There will be continuous monitoring of complaints insight through a complaints dashboard and quarterly monitoring of the Complaints Summary Report and Customer Feedback Report.

The reports will be looked at by, Service managers, Tenant Complaints Panel, Cheshire West and Chester Council Place Commercial Management & Delivery Service.

There will be continuous monitoring of complaints insight using intelligence from a complaints dashboard and satisfaction surveys.

Reports will be shared with Service managers, Tenant Complaints Panel, Cheshire West and Chester Council Place Commercial Management & Delivery Service.

Tenants Complaint Panel will undertake regular reviews of complaint management.

Performance will be published on the ForHousing website in the tenant annual report.

Policy summary for the intranet

This policy supports a positive complaint handling culture with an approach which is clear, simple, and accessible to resolve complaints promptly, politely, and fairly. It represents the Housing Ombudsman code for complaints handling and sets out how complaints will be managed and learning from complaints will be used to improve services.

Words linked to this policy for intranet searches

Complaint
Redress
Ombudsman
Designated persons
Tenants panel
Stage 1
Stage 2
Expression of dissatisfaction
Service request

Control data and approval history

Policy Owner:	CW&C: Alison Amesbury Strategic Housing & Commissioning Senior Manager ForHousing Representative: Janet Lawton, Head of HMC
Next review date:	29 June 2025

Action	Approved By	Date
Approval	Head of HMC	01/02/2022
Approval	CW&C Cabinet member for Homes, Planning and Safer Communities	30/06/2023

Document revision history

Date approved	Version number	Version history
	V1.3	New policy to comply with Housing Ombudsman Code of Conduct replacing CW&C Complaints, Compliments and Suggestion Policy.
Date amended	Version number	Key Changes