

Cheshire West and Chester Council
Housing Management

Complaints Policy

1 MANAGEMENT INFORMATION

Approval Date	CW&C insert date approved
Next Review Date	CW&C insert + 2 years from above date
Responsible Service Area	Strategic Housing and Commissioning
Responsible Director	Director Economy and Housing

Aim of Policy

This policy outlines how we seek to resolve complaints as quickly as possible by being fair, putting things right and learning from complaint outcomes.

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

This policy applies to all housing management services, homeless support services and Home Improvement Agency services (HomeKey+) delivered by ForHousing (FH) on behalf of Cheshire West and Chester (CW&C) Council. Organisations providing services on behalf of ForHousing will be expected to follow this Policy.

Our approach aligns to The Housing Ombudsman’s Complaint Handling Code, April 2024, which sets out the requirements on how to respond to complaints effectively and fairly.

Definition of a complaint

A complaint is defined as “an expression of dissatisfaction, however made, about the standard of services, actions or lack of action by FH, its own staff, or those acting on its behalf, affecting a customer 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 twelve months of the event but will use discretion to consider cases outside this timescale (see exclusions).

A complaint that is submitted via a third party or an advocate will be handled in line with this policy.

When we receive an expression of dissatisfaction, we will seek to distinguish whether it is a complaint or a service request.

What is a Service Request?

FH will not treat service requests as complaints. A service request is a request from a customer requiring action to be taken to put something right, for example a request for a repair, reporting a neighbourhood issue or anti-social behaviour. We record service requests separately to complaints, and we monitor and review them regularly. If a service request is not dealt with appropriately, the customer can raise this as a formal complaint under this policy.

Who can make a complaint

Any person using FH services can make a complaint. This includes any tenant or customer including leaseholders, residents, shared owners or housing waiting list applicants, or any person acting on their behalf, who communicate an expression of dissatisfaction to us.

You can also authorise a representative to make a complaint on your behalf. This could be a friend, partner, relative or someone from an external organisation. If you would like someone to act on your behalf, let us know. We need your consent to share details with your representative.

Where a complaint is made by a group of residents or any other group of people, in order to handle the complaint efficiently, we will ask for a single point of contact to be nominated.

Exclusions

We will consider each complaint on its own merits and consider the individual circumstances. There will be exceptional situations when a matter will not be considered as a complaint or escalated, which could include:

- An initial request for a service, e.g. first reporting of a repair, which will be dealt with as a service request.
- Reports of anti-social behaviour or breaches of tenancy.
- The issue giving rise to the complaint occurring over twelve months ago, however, we will apply discretion to this where there are good reasons to do so.
- Closed complaints which have previously been raised and have already been considered under FHs Complaints Policy.
- Where the HOS has already determined the outcome of an investigation.
- 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.
- Insurance matters where an insurance claim has been made e.g. damages or personal injury.
- Complaints about services, persons or bodies which FH has no control.

Anonymous complaints and those from non-FH customers will be recorded, depending on the issue we may still investigate outside of this policy.

If FH decides not to accept a complaint, an explanation will be provided to the customer

setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Housing Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may advise FH to investigate the complaint.

Accessibility and awareness.

We want FH's complaints process to be easily accessible and simple to follow. Customers and their representatives can report a complaint in several ways.

Via our website – www.forhousing.co.uk and then navigate to the complaints and feedback page ([Complaints - ForHousing](#))

If you have downloaded the My account + app, you can report a complaint and will be redirected to our website to log the details of your complaint.

By emailing hello@forhousing.co.uk

By writing to ForHousing, PO Box 235, CH34 9FP

Over the phone by calling 0300 123 5522

In person by calling into The Portal, Wellington Road, Ellesmere Port On Tuesdays between 9.30am and 5pm or Thursday between 1pm and 5pm.

You can raise a complaint with any member of FH staff or appointed contractors. All staff will be aware of the complaints process and be able to pass your complaint to the Business Support team.

We encourage you to contact the Business Support Team at ForHousingManagedBusinessSupport@forhousing.co.uk if you believe that we can make reasonable adjustments to enable you to fully access our complaints service. We will agree with you about what may be reasonable based on your individual needs.

We are committed to providing excellent customer services, which are fair, equitable and inclusive. As such, we will endeavor to understand and make any reasonable adjustments required for customers in line with ForHousings Reasonable Adjustment Statement and the Equality Act 2010. Any reasonable adjustment provided will be recorded and kept under active review.

Examples of reasonable adjustments we might make include providing a translator or information in a different format.

This Complaints Policy is published on our websites and available in other accessible formats on request.

The Housing Ombudsman Service can also provide advice and support in relation to complaints under their jurisdiction. The details of how to access their services are provided on our website, in complaint outcome letters if relevant, the link to their website is included here : www.housing-ombudsman.org.uk.

The Housing Ombudsman Service contact details:

Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ
Telephone: 0300 111 3000

Related Legislation and Regulation

Housing Ombudsman Complaint Handling Code 2024
The Social Housing (Regulation) Act 2023
The Building Safety Act 2022
Data Protection Act 2018
The Equality Act 2010
Localism Act 2011
Housing Act 1985 and 1996
Landlord and Tenant Act 1985
Regulator for Social Housing Consumer Standards

Policy

This policy provides the framework for handling complaints. We will not treat customers differently if they complain. The early and local resolution of issues between FH and our customers is key to effective complaint handling.

Complaint handling staff

FH have complaint handlers within across all services supported by the Business Support Team assigned to take responsibility for complaint handling, including liaison with the Housing Ombudsman and ensuring complaints are reported to the governing body (or equivalent). The complaint handlers have access to staff at all levels to facilitate the prompt resolution of complaints. In addition, they have authority and autonomy to act to resolve disputes promptly and fairly.

We prioritize complaint handling and a culture of learning from complaints. All staff are suitably trained in the importance of complaint handling.

The Complaint Handling Process

FH has a two stage complaints process.

When a complaint is logged at Stage 1 or escalated to Stage 2, FH will set out our understanding of the complaint and the outcomes the customer is seeking. This is referred to as “the complaint definition”. If any aspect of the complaint is unclear, we will ask the customer for clarification. We will be clear about which aspects of the complaint we are, and are not, responsible for investigating and clarify any areas where this is not clear.

At each stage of the complaints process, the complaint handlers will:

- deal with complaints on their merits, act independently, and have an open mind;
- give the customer 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.

Where a response to a complaint will fall outside the timescales set out in this policy, FH will agree with the customer suitable intervals for keeping them informed about their complaint.

A full record will be kept of the complaint, and the outcomes at each stage. This will include the original complaint and the date received, all correspondence with the customer, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.

FH will ensure appropriate remedies can be provided at any stage of the complaints process without the need for escalation.

FH has a policy and procedure in place for managing unacceptable behaviour from customers and/or their representatives. Please see Unacceptable Behaviour Policy.

FH have a two stage complaints process. We will consider which complaints can be responded to as early as possible, and which require further investigation. We will consider factors such as the complexity of the complaint and whether the customer is vulnerable or at risk. Most Stage 1 complaints can be resolved promptly with an explanation, apology or resolution provided to the customer.

Stage 1

Will be acknowledged, defined and logged within **5 working days the complaint being received**.

FH will issue a full response to Stage 1 complaints within **10 working days of the complaint being acknowledged**. If an extension to this timescale is needed when considering the complexity of the complaint, we will inform the customer of the expected timescale for response. Any extension will be no more than 10 working days without good reason, and the reason(s) will be clearly explained to the customer, and they will be provided with the contact details of the Housing Ombudsman Service.

A complaint response will be provided to the customer when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed.

Outstanding actions will be tracked and actioned promptly with appropriate updates provided to the resident. The response will 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.

Where customers raise additional complaints during the investigation, these will 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 will be logged as a new complaint.

The written complaint response to the customer at the completion of Stage 1 will be in clear, plain language and include:

- 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

- details of how to escalate the matter to Stage 2 if the individual is not satisfied with the response.

Stage 2

If all or part of the complaint is not resolved to the satisfaction of the customer at stage 1, it will be escalated to Stage 2. The Stage 2 investigation is not conducted by the same person that considered the complaint at stage 1.

Requests for Stage 2 must be acknowledged, defined and logged at Stage 2 of the complaint's procedure within **5 working days of the escalation request being received**.

Customers are not required to explain their reasons for requesting Stage 2. FH will make reasonable efforts to understand why a customer remains unhappy as part of its Stage 2 response.

We will issue a final response to Stage 2 within **20 working days of the complaint being acknowledged**. If an extension to this timescale is needed when considering the complexity of the complaint, we will inform the customer of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) will be clearly explained to the customer, and they will be provided with the contact details of the Housing Ombudsman Service.

A complaint response will be provided to the customer when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed.

Outstanding actions will be tracked and actioned promptly with appropriate updates provided to the resident. The response will 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.

The written complaint response to the customer at the completion of Stage 2 will be in clear, plain language and include:

- 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
- details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.

Stage 2 is FHs final response and will involve all suitable members needed to issue such a response.

Putting things right

Where something has gone wrong FH will acknowledge this and set out the actions it has already taken, or intends to take, to put things right. This can happen at any stage of the process, without the need for escalation. These can include:

- Apologising;
- Acknowledging where things have gone wrong;
- Providing an explanation, 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

Any remedy will reflect the impact on the customer as a result of any fault identified and take account of the guidance issued by the HOS. The remedy offer will clearly set out what will happen and by when, in agreement with the customer where appropriate. Any remedy proposed will be followed through to completion.

Any financial remedy will be offered in conjunction with the FH Compensation Policy.

How the Policy will be delivered

Scrutiny and Oversight

We recognise the importance of learning from complaints and value the opportunities they give us to make improvements. We will share what we've learned and the service improvements we implement with customers, colleagues, and relevant committees.

The following people have lead responsibilities for complaints in our organisation: The Member Responsible for Complaints (the MRC) is a member of the Council Housing Management Board who is appointed to have lead responsibility for complaints to support a positive complaint handling culture. This is the Cabinet Member for Homes, Planning and Safer Communities.

The senior lead person is a senior manager who is accountable for complaint handling. This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision. Currently, this is the Performance Lead.

The Tenants Complaints Panel regularly reviews complaints learnings and trends and to ensure compliance with this policy and to make recommendations for future handling and management of complaints.

Related documents

Reasonable Adjustment Statement
 Compensation Policy
 Unreasonable Behavior Policy (Under review)
 Cheshire West and Chester Complaints Panel Review Procedure

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 has been reviewed by the ForHousing Group Equity, Diversity and Inclusion Service Excellence Group.</p>
Actions taken forward to mitigate any potential negative impact	The application of the Policy will be monitored to understand the impact on customers ensuring Equity, Diversity, and Inclusion.

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?	31/03/2024
If a DPIA has been completed, was the DPO consulted?	Yes
If a DPIA has been completed, were any risks identified?	No
If risks were identified as part of the DPIA process, have mitigation actions been identified?	No

Consultation

TBA

Self-assessment, reporting and compliance

We will produce an annual complaints performance and service improvement report. This report, alongside our Council Housing Management Board, is published in the complaints section of our website.

The Housing Ombudsman requires that we self-assess against its Complaint Handling Code 'the Code' each year. We must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.

If we are unable to comply with the Code due to exceptional circumstances, such as a cyber incident, we will inform the Ombudsman, provide information to residents who may be affected and publish this on our website. We will include a timescale for returning to compliance with the Code.

Monitoring and review of this policy.

Complaints will be recorded through the housing management system and reported via a dynamic dashboard which is available to teams and managers across ForHousing.

There will be continuous monitoring of complaints insight using intelligence from a complaint's 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.

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

Regular audits will be carried out to ensure compliance with policy and guidance.

This policy will be reviewed annually or where there have been significant changes to regulation, legislation, operations or best practice to warrant a further policy review.

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
Service Request
Ombudsman
Stage 1
Stage 2
Remedy
Compensation
Insight

Where this policy should be accessible

ForHousing (Managed)

Control data and approval history

Policy Owner:	CW&C: Strategic Housing & Commissioning Senior Manager ForHousing Representative: Head of HMC
Next review date:	CW&C insert + 2 years from date approved

Action	Approved By	Date
Approval	Head of HMC	
Approval	CW&C Cabinet member for Homes, Planning and Safer Communities	

Annual check history

Date annual check completed	Version number	Non substantive changes (Where non-substantive changes have been made the policy/procedure will have a minor version number, for example V1.1)

Document revision history

Date amended	Version number	Key Changes
30/06/2023	V1.3	Approved 30 June 2023. New policy to comply with Housing Ombudsman Code of Conduct replacing CW&C Complaints, Compliments and Suggestion Policy.
15/05/2024	V2.1	Revised policy to comply with Housing Ombudsman new Handling Code (April 2024)