

Housing and Safer Communities Policy



Division – Tenancy Services and Repairs and Investment

Name of Policy – Housing Complaints Policy

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Scope	Customer groups: Residents of Royal Borough of Greenwich	
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Version History				
Version	Approved by	Date	Description of change	Author
0.2		20-Aug-22	First draft	Edmund Shepherd Policy & Performance Manager
0.3		26-Aug-22	Changes from staff and resident consultation	Edmund Shepherd Policy & Performance Manager
0.4		02-Sep-22	Changes to rescope to Housing Ombudsman complaints only	Edmund Shepherd Policy & Performance Manager
0.5		30-Sep-22	Changes to Stage 2 clearance standards	Edmund Shepherd Policy & Performance Manager
0.5	Lead Member	24-Oct-22	Policy approved subject to call-in	
1.0		1-Nov-22	Policy published	

1. Policy Objective

- 1.1 The purpose of this policy is to standardise complaint handling, ensure compliance with regulations and to communicate best practice across Housing and Safer Communities.
- 1.2 This policy applies to all complaints handled in Housing and Safer Communities that are within the remit of the Housing Ombudsman (“landlord complaints”).
- 1.3 This policy does not apply to any other directorates or departments at the Royal Borough of Greenwich.

2. Context

- 2.1 Handling complaints well meets the needs of our [corporate visions and priorities](#) in developing our services and improving the lives of our residents as well as our [staff values](#).
- 2.2 We aim to get it right first time, but when we don’t, we aim to put things right quickly. We use the feedback we receive through complaints to shape and improve our services.
- 2.3 The scope of this policy is anyone with cause to complain about the Royal Borough of Greenwich’s housing activities. In the main, these are residents entitled to receive services delivered by the Tenancy Services and Repairs & Investment departments.
- 2.4 Complaints about services outside the remit of the Housing Ombudsman are excluded from this policy.

3. Policy

- 3.1 This policy aims to set out how landlord complaints are handled within the Housing and Safer Communities Directorate.

Definition of a complaint

- 3.2 We use the Housing Ombudsman’s definition of a complaint:

“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.”

- 3.3 An expression of dissatisfaction that meets this definition may be raised as a complaint. A complaint does not need to mention the word “complaint” to be raised as such.

Complaints via third parties and surveys

- 3.4 Third parties and organisations can help to resolve disputes and advocate for residents.
- 3.5 Residents may ask a representative to raise a complaint on their behalf. This may be a family member, advocate or elected representative, e.g. Councillor, Member of Parliament (MP).
- 3.6 MPs and Councillors usually have implied consent to raise a complaint on behalf of a constituent in the expectation that their personal data will be processed by the Council.

- 3.7 Where consent goes beyond the constituent's expectations, explicit consent is required.
- 3.8 When we have permission, we can accept complaints raised by others on behalf of residents of the Royal Borough of Greenwich. This may be a letter of consent, power of attorney or other acceptable form demonstrating consent.
- 3.9 Where complaints are received via surveys, we will contact the participant to ask if they would like a response. Where they do not want a response or we are unable to identify the participant, the feedback will be passed to the relevant department for the purposes of service improvement, as for anonymous complaints.

Anonymous complaints

- 3.10 We will investigate anonymous complaints. However, we will not respond unless the complainant has expressly asked for it and we identify them through the course of the investigation.

Two-stage complaints process

- 3.11 We operate a two-stage complaint process.
- 3.12 Where practicable, on receiving a complaint, we will contact all complainants to understand their concerns and the outcome they are seeking. We will use this opportunity to put things right if they can be quickly resolved.
- 3.13 All Stage 1 and Stage 2 complaints will be acknowledged. The target timescale to acknowledge complaints at both stages is 5 working days from the date of receipt.
- 3.14 Acknowledgements at Stage 1 and Stage 2 will include at a minimum:
- Complaint reference number
 - Our understanding of the complaint
 - Our understanding of the outcome the complainant is seeking
 - When the complainant can expect a response
- 3.15 All complaints will be initially raised at Stage 1 of the process. Our target timescale to respond to complaints at Stage 1 is 10 working days from the date of receipt.
- 3.16 Where the complainant is dissatisfied with our response at Stage 1, they may ask for their complaint to be escalated to stage 2, within two months of our stage 1 response. Our target timescale to respond to complaints at Stage 2 is 20 working days from the date of receipt. No complaints will be escalated to Stage 2 before being responded to at Stage 1.
- 3.17 Where a response cannot be provided within the target timescale, we will contact the complainant to inform them of the delay and give a revised timescale, including, where possible, the reason for the delay. This will be no more than 10 working days beyond the date the response was due. If we need to extend the deadline again, we will seek the consent of the complainant. Where it cannot be obtained, we will provide the contact details of the Housing Ombudsman.
- 3.18 Responses at Stage 1 and Stage 2 will include at a minimum:

- Complaint reference number
- Complaint stage
- How we have defined the complaint
- Our understanding of the outcome the complainant is seeking
- Decision on the complaint (upheld/not upheld/partially upheld)
- Reasons for any decisions made
- Details of any remedy offered to put things right
- Details of any outstanding actions
- Details of how to escalate the matter to Stage 2 or the Ombudsman if the resident is not satisfied with the answer

3.19 We will respond when we know the answer to the complaint. Additional issues or relevant complaints raised during the investigation period will be included only when this will not result in the response being issued late, including new complaints.

3.20 Where we have exhausted the complaints process and the complainant approaches the Housing Ombudsman, we will co-operate with them to resolve the dispute.

Exclusions and reasons for refusing to escalate complaints

3.21 In principle, we will accept all complaints that we receive.

3.22 We will not accept complaints at Stage 1 or Stage 2 that:

- Do not meet the definition of a complaint, e.g. requests for service
- Are subject to legal proceedings – these start at the point that a claim is issued at a court and do not include the pre-action protocol period
- Have already exhausted the complaints process
- Relate to issues occurring over six months ago
- Are being pursued in an unreasonable manner, including frivolous and vexatious complaints

3.23 Where we do not accept a complaint, we will write to the complainant to explain why and provide the details of the Housing Ombudsman.

3.24 We may accept a complaint even if it meets the conditions above, where it is appropriate and reasonable to do so.

Service Requests

3.25 A service request is a request from a resident requiring action to be taken to put something right or to otherwise deliver a service provided by that department. Where a resident expresses dissatisfaction with how a service request is handled, a complaint may be raised.

3.26 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 will be logged as a complaint.

Accessibility and Equalities

- 3.27 We are committed to fairness, accessibility and transparency in handling complaints and to promoting equality of opportunity to ensure all residents are treated fairly.
- 3.28 We will agree any reasonable adjustments with residents to enable access to our complaints process, in line with our obligations under the Equality Act 2010 in general and the Public Sector Equality Duty in particular.
- 3.29 We will follow the [Royal Greenwich Equality Policy](#).
- 3.30 Complaints can be made by any reasonable medium, including web form, email, telephone, letter, paper form and social media.
- 3.31 Complaints received through RBG official social media channels monitored by departments outside Housing and Safer Communities will be passed to officers in Housing and Safer Communities and logged as usual. Responses will be provided in a format acceptable to the complainant, usually by email.

Learning from Complaints

- 3.32 We will 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.
- 3.33 Themes or trends will be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision.
- 3.34 Learning from complaints will be reported regularly to senior managers and Councillors and will guide service provision.

Training and Development

- 3.35 All HSC staff who have contact with complaints are required to attend any prescribed training to enable them to respond effectively and fairly.
- 3.36 Anyone handling a complaint will do so consistently with the dispute resolution and investigation standards below.

Principles of Dispute Resolution and investigation standards

- 3.37 When handling complaints, we will be fair, put things right and learn from outcomes.
- 3.38 We will investigate complaints impartially, seeking sufficient and reliable information from all parties so that we can make fair and appropriate findings.
- 3.39 The officer investigating a complaint at Stage 2 will be different from the officer who investigated that complaint at Stage 1.
- 3.40 Stage 2 responses will be signed-off at Head of Service level or higher.
- 3.41 If allegations are made against a member of Royal Greenwich staff, where practicable, they will be given an opportunity to respond before a final response is issued. Staff complaints will also be handled consistently within RBG HR processes.

3.42 The complaint handler will:

- 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
- Consider older reports if relevant to the investigation

3.43 Any decision to try to resolve a concern will be taken in agreement with the resident.

Compensation and redress

3.44 A principle of dispute resolution is to put things right, which may include financial redress.

3.45 There are different types of redress. These are detailed in the Housing Compensation, Reimbursement and Redress policy.

3.46 Any remedy offered will reflect the extent of any service failures and the level of detriment caused to the resident as a result.

Commitment to Collaboration

3.47 Teams will have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments.

3.48 Anyone involved in responding to a complaint will take collective responsibility for any shortfalls identified through complaints rather than blaming others.

3.49 We will act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing:

- Skilled
- Knowledgeable
- Integrity
- Ethical
- Inclusive
- Advocate
- Leadership

Unreasonable behaviour

3.50 We will challenge abusive, unreasonable and threatening behaviour from complainants and their representatives.

3.51 We will follow the Royal Greenwich policy on the management of unreasonable complainant behaviour to manage unreasonable behaviour.

4. Governance, Performance and Quality Assurance

4.1 Compliance with this policy will be monitored via:

- Quality checks of individual complaints
- Regular KPI performance monitoring and reporting
- Annual self-assessment against the Housing Ombudsman's Complaint Handling Code
- Resident feedback, including from tenant satisfaction measures (ex. April 2023)
- Regular reporting of volumes, categories, outcomes, trends, learning and compliance with the Ombudsmen's orders to senior managers and the Housing and Anti-Poverty Scrutiny panel
- Ad hoc analysis of determinations from the Housing Ombudsman
- Review of the Housing Ombudsman's annual reports

Self-assessment

- 4.2 We will publish a self-assessment of our compliance against the Housing Ombudsman's Complaint Handling Code on our website annually and more frequently when there has been a significant restructure or there are new policies and procedures. The self-assessment will be shared with the Lead Member for Housing, Neighbourhoods and Homelessness for comment and scrutiny.

5. Consultation and Engagement

- 5.1 This policy has been consulted on with staff and residents. Any major changes to this policy will be consulted on.
- 5.2 We will seek feedback on the effectiveness of our complaints handling from stakeholders including residents through surveys and direct engagement. Feedback from resident engagement will be fed back to senior managers for action to guide service improvement.

6. Data Protection and Confidentiality

- 6.1 When the Council receives a complaint, the identity of the complainant will be made known only to those who need to consider or know about the complaint.

- 6.2 Royal Greenwich collects the following information:

- Name of complainant
- Address of complainant
- Contact details – telephone and e-mail
- Service affected (including directorate, division and service name)
- Problem description
- Date of problem
- Date of complaint
- Who is dealing with it
- Copies of letters/e-mails etc.
- Whether the complaint is a repeat complaint by the same individual or by a different individual about the same service

- 6.3 Where possible, complaints information included in reports will not include personal data. Personal data relating to a complainant does not go beyond the people who are investigating the complaint unless there are exceptional circumstances, whereupon the complainant will be informed.

- 6.4 Activity on complaints will be recorded on appropriate systems. This includes the central complaints system, housing management systems and emails. Personal data will be retained in line with RBG data retention policies.
- 6.5 All data will be processed in accordance with our [Privacy Notices](#) and relevant legislation, including the Data Protection Act 2018.

7. Related Policies and Procedures

- Compensation, Reimbursement and Redress Policy
- Royal Borough of Greenwich Complaints Policy
- Management of Unreasonable Complainant Behaviour Policy
- Royal Greenwich Equality Policy
- Compensation, Reimbursement and Redress Procedure

8. Key Legislation, External Policy and Best Practice

- Housing Ombudsman's Complaint Handling Code
- Housing Act 1996
- Localism Act 2011
- UK General Data Protection Regulations
- Data Protection Act 2018
- Equality Act 2010
- Tenant Involvement and Empowerment Standard
- Housing Ombudsman Scheme
- Building Safety Act 2022