

Housing Services Complaints Handling Policy

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1. Principles & Definition

1.1. Bury Housing Services is committed to delivering the best possible service but sometimes we don't get it right. We want all of our tenants and leaseholders past and present and those applying for housing, to feel that they are treated fairly and with respect. This policy sets out our approach to handling complaints and what we will do to put things right.

2. Legal and regulatory requirements

2.1. This policy is developed in line with the following legislation and meets the requirements of the consumer standards;

- Social Housing (Regulation) Act 2023
- Localism Act 2011
- Housing Act 1996 (Schedule 2)
- General Data Protection Act 2018
- Equality Act 2010
- Housing Ombudsman Scheme's Complaints Handling Code 2024

3. Definitions

3.1. Service request

A request from a customer requiring action to provide a service or fix a problem when reported.

3.2. Complaint

An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by Bury Housing Services, its own staff or those acting on its behalf, affecting a resident or group of residents.

3.3. Housing Ombudsman Service (HOS)

An independent, impartial and free service for social housing residents, to investigate complaints and resolve disputes involving the tenants and leaseholders of social landlords.

3.4. Member Responsible for Complaints (MCR)

The MCR is responsible for ensuring that complaint handling drives service improvement for residents and learning and business improvement for the organisation. Their role is to champion a positive complaints handling culture, seeking assurances that the complaints are being managed, change is happening and customers are being heard through the process.

4. Service requests

4.1. A service request is defined as;

‘A request from a customer requiring action to provide a service or fix a problem when reported’

4.2. This includes where an issue is being reported for the first time and gives staff an opportunity to rectify the issue. Early and local resolution of issues is key to effective complaint handling. If a customer expresses dissatisfaction with our response to their service request it would then be recorded as a complaint, even if the handling of the service request is ongoing.

4.3. We will always attempt to resolve service requests at the first point of contact using our normal working practices. Bury Housing Services will equip all its customer facing staff to recognise when a customer is unhappy with our service and give them the tools to resolve any concerns quickly and effectively.

4.4. If a customer expresses dissatisfaction with our approach to resolving the substantive issue, or the outcome, they will be given the opportunity to make a complaint at Stage 1. We will continue our efforts to resolve the service request even if a complaint has been made and we will not wait for the outcome of the complaint investigation to progress the service request. The complaint will be responded to as soon as the outcome is known, not when the service request is closed.

4.5. If it is unclear whether an expression of dissatisfaction is intended as a complaint, we will be proactive in clarifying this with the customer.

4.6. An expression of dissatisfaction made within a survey will be treated as a service request or comment, however the customers will be made aware of how to pursue a complaint if required.

4.7. Where wider feedback is sought from customers, we will also provide details of how customers can make a complaint.

5. Complaints

5.1. There are times when our attempts to resolve a service request do not address the customer's concerns to their satisfaction, and it is necessary to investigate these using our complaints process.

5.2. A complaint can occur when;

- A customer is unhappy about a service they have received from Bury Housing Services or the attempts that Bury Housing Services has made to resolve their concerns.
- A customer expressly asks for a complaint to enter the complaints process.
- Bury Housing Services has triggered the formal complaints process to reach a resolution with an ongoing customer concern.

5.3. We define a complaint in line with the Housing Ombudsman Code:

“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 tenant, leaseholder or group of tenants/leaseholders.”

5.4. We will make it easy for customers to complain by providing different channels through which they can make a complaint. All staff will be made aware of the complaints process and be informed of how and where to pass on details of the complaint. We will consider our duties under the Equality Act 2010 and make reasonable adjustments where it is appropriate if we identify that a customer may be vulnerable and find it difficult to articulate their complaint or follow the complaints procedure. Any disclosures of vulnerability will be recorded and treated in line with our reasonable adjustment policy.

5.5. We will accept complaints from customers raised in a variety of ways such as;

- Telephone or email
- Through our website
- Speaking to any Bury Housing Services employee or contractor acting on our behalf
- Letter
- A representative
- Social media

5.6. Complaints received by whatever means will be logged on our housing management system and follow the same process. If a customer specifies how they wish to be contacted throughout the complaint process, we will respect this wherever possible.

5.7. We will accept a complaint from anyone who receives a service or is impacted by a service provided by Bury Housing Services including non-tenants or former tenants.

5.8. Bury Housing Services will publicise details of the complaints policy, including information about the Housing Ombudsman and its code on our website. Throughout the whole complaints process we will provide customers with information about their right to access and engage with the Housing Ombudsman Service about their complaint.

5.9. If any aspect of the complaint is unclear, we will continue to be proactive in trying to obtain clarification from the customers, giving due consideration to potential reasonable adjustments that may be required to help the customer articulate their complaint. If the full complaint issue is still unclear, in the acknowledgement letter we will include a complaint definition to give the customer further opportunity to contact us to clarify. If this does not occur we will continue with the investigation based on the information we have.

5.10. If a customer's dissatisfaction cannot be resolved by way of a service request, they will be given the option to make a complaint and be provided with an explanation of the complaints process. A customer does not need to use the word 'complaint' for it to be treated as such.

5.11. With every complaint we will;

- Make the process easy to access and understand.
- Treat you fairly – we'll listen carefully, treat you with respect, and take your concerns seriously.
- Put things right – we'll work quickly and effectively to resolve the issue.
- Keep you informed – we'll communicate clearly and courteously, letting you know what we're doing and when you can expect a resolution.
- Apologise and offer appropriate redress when we've got something wrong.
- Learn from your experience – we use complaints to improve our services and prevent future issues.

5.12. At each stage of the complaints process we will;

- Deal with the complaint on its 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 the relevant information and evidence carefully

5.13. We will consider any requests for reasonable adjustments or where it has been identified that a reasonable adjustment may be required in accordance with our Reasonable Adjustments policy.

5.14. We will ensure that all appropriate customer facing staff have complaint handling, customer service and vulnerability awareness training that is refreshed on a regular basis to adequately support the needs and requirements of customers during the complaint process.

6. What is not a complaint

6.1. We will not treat the following as a complaint;

- A service request as described above
- A comment or series of comments where the customers is making a suggestion about how we may improve or maintain our service. The relevant service manager will consider this outside of the complaint process.
- A question or series of questions where a customer is requesting information about a service we provide.

- MP and Councillor enquires – these will be recorded and addressed outside of our formal complaints process unless the representative expressly asks for the matter to be treated as a complaint.

7. Who can complain

7.1. We welcome complaints from;

- Current tenants (secure, assured, or introductory).
- Leaseholders and shared owners.
- Housing applicants (in relation to how their application was handled).
- Former tenants/leaseholders, where the issue relates to the period they lived in one of our properties or received services from us.
- Household members or individuals directly affected by our services.
- Groups of tenants/leaseholders making a collective complaint.

7.2. We also accept complaints from representatives (e.g. friends, family, councillors, MPs, or advocacy agencies), where the tenant or leaseholder has given consent. A complaint that is submitted via a third party or representative will be handled in line with this complaints policy.

8. Making complaints on behalf of another

8.1. If someone raises a complaint on behalf of a tenant or leaseholder, we require the tenant/leaseholder's written, recorded, or verbal consent before sharing case details.

8.2. Consent will be logged and valid for the duration of the complaint unless withdrawn.

8.3. If the complainant is unable to provide consent (due to vulnerability, incapacity, or language needs), we will make reasonable adjustments and accept authority from a recognised representative (e.g. legal adviser, carer, or advocate).

8.4. If we receive a complaint without consent, we will contact the tenant/leaseholder directly to confirm whether they wish us to proceed.

9. When We Cannot Accept a Complaint (Exclusions)

9.1. The following may not be accepted as a complaint although each situation will be considered on its own merits;

- The issue giving rise to the complaint occurred over 12 months ago, however we do have discretion and will review the individual circumstances to determine if it is appropriate to accept the complaint including;
 - Individual personal circumstances such as bereavement or illness
 - Vulnerabilities

- Where the customer has not been aware of the issue and could not reasonably be expected to have brought the complaint forward sooner.
- The matter is already subject to legal proceedings (e.g. where a court case has started and the issues will be determined by the court). We will however take steps to ensure that customers are not left without a response for a lengthy period, for example, where a letter before action has been received or issued but no court proceedings are started, or settlement agreement reached.
- The matter is being dealt with by another regulatory or statutory process or an insurance claim.
- The same complaint has already been considered under our procedure and exhausted.
- Where there is criminal or fraudulent investigation involved.
- Where the complaint is anonymous.
- Where the complaint relates to a service that Bury Housing Services does not provide. If the complaint relates to a service that is provided as part of wider Bury Council services it will be referred to the Bury council complaints process.
- Where the complaint is malicious or vexatious – see misuse of the complaints process below.
- If the customer specifically requests that the complaint is not logged (this decision and reason(s) will be recorded to ensure a clear audit trail.)
- Petitions will be recorded and acknowledged but will not be dealt with under our Complaints Policy. Details of petitions will be shared with the Chief Executive Officer.

9.2. Where a complaint cannot be considered we will let you know in writing. We will explain why and signpost the complainant to the most appropriate route (e.g. legal advice, local councillor, The Ombudsman for other service areas).

9.3. Where we decide to exclude part of the complaint this will be clearly communicated in the acknowledgement and response letters. We will provide a clear explanation of why the matter is not suitable for the complaints process., referencing the specific exclusion that applies. We will advise the next steps for the aspects of the complaint that are being taken forward and advise the customer of their right to approach the Housing Ombudsman regarding the excluded matters.

9.4. We will keep a record of complaints that have been refused and will include a summary of the volumes and types of complaints that have been refused in our annual complaints performance and service improvement report.

10. Time limit for making complaints

10.1. A complaint will not normally be considered if it is made more than twelve months after the issue became known to the customer. This is because complaints that happen more than twelve months ago are difficult or impossible to investigate in a full and fair manner. However, we will consider

whether to apply discretion to accept complaints made outside of this time limit where there are good reasons to do so.

11. The complaint process – two stages

11.1. The Housing Ombudsman sets out a two-stage complaints process that we and all landlords are expected to follow. This process helps ensure that:

- Complainants know what to expect when they raise a complaint.
- Clear timescales are in place for how and when we respond.
- Complaints are handled consistently, fairly, and transparently.

12. Stage one - investigating complaints

Complaint acknowledgement

12.1. On receiving the complaint, we will;

- Acknowledge, define and log the complaint within five working days of receiving the complaint, with the received date being day zero. For complaints received outside of working hours, the received date is the next working day. The acknowledgement will be sent in writing.
- The acknowledgement will include a summary of the complaint and will inform the customer of who will be concluding the investigation.

Complaint investigation

12.2. The complaint investigator will fully investigate the complaint by obtaining all the facts relating to the complaint. They may carry out one or more of the following actions to investigate the complaint;

- Approach the customer for further details about their complaint that may assist with the process.
- Identify any customer vulnerabilities or risk factor that may need to be considered.
- Speak to relevant staff and contractors
- Search our internal systems for records relating to the customer complaint.
- Visit the customer's home, communal areas or our estates as appropriate.

12.3. Where more investigation time is required, we may extend the timescale at Stage one but by no more than 10 working days without good reason. Any extension will be assessed on a case by case basis and explained to the customer along with the reasons for this and the date they can expect to receive a response. The contact details of the Housing Ombudsman will also be provided with this letter.

- 12.4. If a customer raises additional complaints during the investigation these must be included into the stage one response if they are related and the stage one response has not been issued. Where the stage one response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the stage one response, the new issues must be logged as a new complaint.

Complaint response letter

- 12.5. Once the investigation has been concluded, a response will be sent by the investigating manager within 10 working days of the acknowledgement date (day zero) and will include;
- The complaint stage and overall outcome
 - A thank you to the customer for their feedback
 - The findings of the investigation against each of the component parts of the complaint and the reasons for the findings.
 - Whether each part of the complaint was upheld or not upheld.
 - Details of any outstanding actions and remedies along with completion deadlines.
 - If parts of the complaint have been upheld, the response will outline the steps required to correct the issues where possible.
 - An apology when we have done something wrong.
 - What steps that the manager may be taking to improve their service as a result of the complaint and what safeguards they will put in place so that those mistakes will not happen again.
 - A compensation payment or payment as a gesture of good will if appropriate (see compensation policy for more details).
 - Steps that the customer can take to escalate the complaint if they remain dissatisfied, including clarity over they disagree with a decision and what they want us to do to put it right.
 - Contact details of the Ombudsman will be included should the customer wish to seek further advice regarding their complaint.
- 12.6. Agreement will be made with the complainant on suitable intervals for keeping them informed and updated throughout the complaints process and beyond where there are outstanding actions identified.

13. Stage two – Reviewing investigations

- 13.1. If a complaint isn't fully resolved to the complainant's satisfaction at Stage 1, The customer can request for the handling of their complaint to be reviewed. Customers have 10 days from the date of the complaint response letter to request a review. We may extend this timescale in exceptional circumstances.
- 13.2. We will not refuse to escalate a complaint through both stages of the process unless there are valid reasons to do so. In this case we will clearly set out the reasons which will comply with the criteria for exclusion set out in the Code.

- 13.3. The purpose of the complaints review is a consideration of the initial investigation and not a new investigation. A customer does not have to provide reasons for expressing their dissatisfaction with their stage 1 response.
- 13.4. As with the initial investigation we will;
- Acknowledge the request for a review within 5 working days of the complaint escalation being received (day zero). For complaints received outside of working hours, the received date is the next working day.
 - The acknowledgement will inform the customer of the name of the person who will be conducting the review. The review is typically conducted by the Head of Service of the main area of concern.
- 13.5. Where more investigation time is required, we may extend the timescale at Stage two but by no more than 20 working days without good reason. Any extension will be assessed on a case by case basis and explained to the customer along with the reasons for this and the date they can expect to receive a response. The contact details of the Housing Ombudsman will also be provided with this letter.
- 13.6. Where a customer raises additional complaints during the stage 2 review, these should be logged as a new complaint and not responded to within the stage 2 review.
- 13.7. Following a complaint review, a response will be written by the reviewing manager within 20 working days of the acknowledgement letter and will include;
- The findings of their review against each of the component parts of the complaint with the reasons for those findings.
 - Whether any of the decisions made at investigation have been overturned.
 - Apologise when we have done something wrong.
 - Thank the customer for their feedback
 - If we have made a mistake, what additional steps that the reviewing manager will take to correct the mistake where possible and timescales or target dates where possible.
 - What additional steps that the reviewing manager may be taking to improve their service as a result of the complaint and what safeguards they will put in place so that those mistakes will not happen again.
 - A compensation payment or payment as a gesture of goodwill if appropriate or increase in a compensation payment or gesture of goodwill if already awarded at the investigation stage (see compensation policy for more details).
 - Signposting to the Ombudsman should they wish to progress the complaint further.

14. Potential claims seeking redress

- 14.1. Occasionally some customers who are expressing dissatisfaction with Bury Housing Services may enquire as to how they could instigate a formal claim to seek redress.
- 14.2. In the first instance Bury Housing Services employees should always try to steer that customer to the formal complaints process first, as exhausting this may avoid the customer incurring unnecessary solicitor costs if an amicable resolution can be found ahead of any formal action. Not only this, but the complaints process is there to allow any issues to be aired, and for consideration to be given to a potential solution, and where applicable, for us to understand how we can improve our services accordingly, so this helps prevent any re-occurrence of the issues.
- 14.3. However, if a customer is determined to file a formal claim, then we would always advise them to seek legal advice and representation, which may mean them engaging a solicitor to represent them in support of this. The formal claim must be put in writing and can be sent to our legal services team at the Town hall or directly to our insurer should the solicitor prefer this, where our insurers details can be provided on request.

15. Remedies and compensation

- 15.1. Effective complaint handling is an opportunity to rebuild trust and improve relationships with customers. We will be open and transparent in acknowledging where things have gone wrong, setting out the actions we have already taken or intend to take to put things right. These include but are not limited to:
 - apologising
 - acknowledging where things have gone wrong
 - providing an explanation, assistance or reasons
 - taking action if there has been a delay
 - reconsidering or changing a decision
 - amending a record or adding a correction or addendum
 - providing a financial remedy
 - undertaking works or replacing damaged goods
 - changing policies, procedures or practices
- 15.2. More detail on the gestures of goodwill available can be found in our Compensation Policy.

16. Escalation to the Housing Ombudsman

- 16.1. If the customer remains dissatisfied after the stage two review they can refer their complaint to the Housing Ombudsman service, which is a free independent, and impartial.
- 16.2. The Housing Ombudsman Service is a legal body established to impartially consider complaints and disputes between tenants/ lease holders and their

landlords. They will consider all the evidence from both sides of any dispute and can make recommendations to both parties on how to rectify both the matter at hand and to ensure the situation does not occur again.

- 16.3. A customer make seek advice or support from the Ombudsman at any point in the complaints process. However, they can only bring a complaint to the HOS for investigation if they have completed our own internal complaint process and the issue have not been resolved.
- 16.4. Making a referral to the HOS is free and further details can be found on their website.

[Contact us | Housing Ombudsman Service](#)

17. Learning from Complaints

- 17.1. Where it has been identified that we have got things wrong, we will identify any lessons to learn and log any actions so they can be proactively monitored. Any changes or improvements to services will be recorded and collated by the complaints team to be shared internally and externally.
- 17.2. If a complaint is not upheld, lessons may still be identified and should be recorded and tracked in the same way to ensure improvements to service delivery are implemented.

18. Delayed responses

- 18.1. We aim to respond to all of our complaints and requests for a review within the 10/20 day timescale. Occasionally if the investigation is complex or key members of staff are not available and the investigation cannot be completed without their input, we may extend the investigation. In this case, the customer will be informed of the progress of the investigation, advised of the reasons for the delay and when they will receive a response. The customer should be notified of the delay as soon as it is identified and not wait until the last day of the original target date. Workload pressures are not a justifiable reason for a delay in a complaint being investigated.

19. When a complaint is closed

- 19.1. We have discretion to close complaints early, for example;
 - When the investigation is complete, and a response has been sent before the target date
 - There is no further contact from the complainant after 10 working days from sending an acknowledgement and attempting to make contact to discuss it
 - When a resolution is agreed as well as our commitment to deliver the action

20. Use of discretion

- 20.1. We reserve the right to use discretion when applying this policy and may deal with a complaint differently where individual circumstances merit it. Any

discretion will be applied fairly and appropriately and complaints should be progressed as far as possible to maximise the opportunity to resolve a dispute.

21. Misuse of the complaint process

- 21.1. We aim to build and maintain good relationships with its residents. However, there may be times where restrictions are necessary to facilitate complaint handling from customers displaying unacceptable behaviour.
- 21.2. The making of malicious or vexatious complaints can be a form of harassment or anti-social behaviour whereby an innocent resident or member of staff is subjected to unfounded exaggerated or dishonest complaints by someone seeking to cause detriment to the individual(s) concerned.
- 21.3. A complaint considered a 'nuisance to landlord' is a complaint made without any merit which has been made solely to harass or intimidate another resident or a member of staff.
- 21.4. A malicious complaint is a complaint that is false with the intention to cause harm or damage to another resident or a member of staff.
- 21.5. Whilst we will investigate all complaints in line with this policy, part of the investigation in certain circumstances may need to include the possibility that the complaint falls into one or both categories outlined above.
- 21.6. If as part of the investigation, it becomes clear that the complainant is malicious or a nuisance to landlord, we will respond in line with our Zero Tolerance Policy.
- 21.7. Any restrictions or action taken with regard to unreasonable behaviour will be clearly communicated to the customer.
- 21.8. Any restrictions place on contact due to unacceptable behaviour will be proportionate and will demonstrate regard to the provisions of the Equality Act 2010.

22. Customer compliments

- 22.1. We are happy to hear when we have done things right. When a customer shares a compliment with us about an individual or a team, we will arrange for that compliment to be shared with the individual or team by their service manager. We also publicise some customer compliments in our internal staff information forums or documents.

23. Using customer feedback

- 23.1. We value the customer feedback that we receive and we will use this feedback as follows:
 - To spot trends from complaints and expressions of dissatisfaction and use this information on a large scale to inform our approach to our services, train our staff and how we direct our resources.

- Service areas will keep records of lessons learned on complaints and produce/review a quarterly action plan.
- Managers will share information on lessons learned across the business where appropriate to maximise the impact and benefit. This will be coordinated by the complaints support officers.
- We will publish details of how we have improved our services because of learning from complaints.
- We will use customer compliments to identify cases of excellent customer service and this can inform our approach to how we train our staff and deliver our services.

24. Staff training and responsibilities

- 24.1. A Member Responsible for Complaints oversees compliance with the Code and reports to the governing body.
- 24.2. All staff are trained in complaint handling, empathy and accessibility and complaint learning is regularly shared across the service.

25. Record keeping and monitoring and learning

- 25.1. All complaints are logged with details of stage, outcome, timescales, and remedies.
- 25.2. We review trends quarterly and publish an annual complaints performance report.
- 25.3. Complaint learning informs service improvements and complaint numbers/satisfaction inform policy reviews.
- 25.4. We send a feedback survey to every complainant to understand their experience.
- 25.5. Senior managers meet monthly to review complaints, helping us identify trends and prevent repeat issues.
- 25.6. Key findings and performance data are shared with the Tenant Voice Forum and Housing Advisory Board, and published in our Annual Report to Tenants.

26. Annual self-assessment and governance

- 26.1. We complete the Housing Ombudsman self-assessment annually. The assessment and this policy are reviewed by our governing body and published on our website in accessible formats.
- 26.2. We evidence compliance with the Code requirement and are transparent where improvements are needed.
- 26.3. Our complaints handling policy is reviewed annually, based on this self-assessment.

