

Housing Customer Feedback Policy

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1. Introduction

- 1.1. This Housing Customer Feedback Policy sets out how Housing Services deals with customer feedback in the form of complaints, compliments, or comments. South Kesteven District Council Housing Services is a member of the Housing Ombudsman Scheme and complies with the Ombudsman Complaints Handling Code and any findings or recommendations they make.
- 1.2. The term 'customer' includes those living in any of our council housing properties, leaseholders, shared owners, applicants for housing and any person or organisation to whom we provide a housing service or have a legal or contractual obligation.

2. Complaints, Compliments and Comments

- 2.1. We term customer feedback as covering complaints (i.e. dissatisfaction with our service), compliments (i.e. satisfaction with our service) and comments (i.e. general feedback on our service).

3. Legal framework

- 3.1. This policy meets the Regulator for Social Housing requirement for an approach for dealing with complaints that is accessible, clear, and transparent. In doing so it complies with the key requirements of the:
 - Localism Act 2011
 - Section 2 of the Housing Act 1996
 - The Regulator for Social Housing Regulatory Framework
 - The Housing Ombudsman Service
 - Data Protection Act 2018 & GDPR
 - Equality Act 2010

4. Equality statement

- 4.1. We are committed to promoting equality and ensuring customers and employees are treated fairly. We will support customers in submitting feedback, where requested, to ensure no one is unable to provide feedback (e.g. due to language or disability issues). We will monitor all feedback to ensure our approach is fair and accessible to all customers.
- 4.2. Where a complainant is unable to make the complaint themselves, we will accept complaints from a representative and address the complaint through them, providing we have the complainant's permission to do so and in line with the data protection requirements.

5. Confidentiality

- 5.1. All information will be collected and stored and managed in accordance with the General Data Protection Regulations and Data Protection Act 2018.

- 5.2. Details of a complaint will only be provided to employees of South Kesteven District Council and appropriate representatives in order to provide a response to the complainant's feedback.

6. What is a complaint

- 6.1. The Housing Ombudsman defines a complaint as:

6.2. ***“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.”***

- 6.3. This includes dissatisfaction with:

- The quality of service offered, or work carried out
- The action or lack of action carried out while carrying out a service
- The attitude or behaviour of those providing a service or doing work
- Missed appointments
- Failure to comply with policies, procedures, or service standards
- Failure to provide information when requested that a complainant has a right to
- A decision we have made or delayed in making
- Failure to respond to a previous complaint

7. What is not a complaint

- 7.1. There are a number of reasons why we may determine feedback does not come under this policy. Where this is the case, we will inform the complainant and explain our reasons for this. The most frequent reasons for this are where the complaint is:

- An initial request for a service or work to be carried out (this is a service request and will be dealt with through our service delivery. Examples include reporting a neighbour dispute or asking for a repair to be carried out).
- An appeal of a housing decision made regarding offers of accommodation or priority on the housing register, housing applications (these are classed as reviews).
- A dispute relating to rents or service charges.
- An appeal against decisions or services where there is another appeal process (such as disrepair) or where there are alternative statutory appeal or tribunal processes (such as appeals against statutory notices).
- A complaint from people who do not use our service or relating to a service we do not provide – these will be decided on an individual basis.
- A complaint about something that has occurred 6 months ago and not previously reported to us.

- Where legal proceedings are pending.
- Where an insurance claim has been made against us.
- Where a complaint has been made and closed previously under our complaints process.
- Where it is feedback from a consultation or survey we have sent as part of a consultation or feedback.
- There may be other reasons why we do not treat feedback as a complaint.

8. How to complain

8.1. Complaints should be made as early as possible after the cause for complaint has occurred. We will consider if complaints relating to matters six months or more after the cause of the complaint can be dealt with through this process on an individual basis. It is important to provide as much information about the reason for a complaint, and the outcome a complainant would like to receive.

8.2. A complaint can be made using any of the following methods:

- Filling in the online form on the SKDC website at [Complaints, compliments and comments](#)
- Emailing Customer Services at C.Service@southkesteven.gov.uk
- By calling Customer Services on 01476 406080
- In writing to:
 - The Customer Services Team
 - South Kesteven District Council
 - Council Offices
 - St Peters Hill
 - Grantham
 - Lincs
 - NG31 6PZ
- In person at one our Customer Service Offices
- Direct to a Council officer
- Via the Council's Facebook page at <https://m.facebook.com/southkdc> (complaints made via social media will be dealt with the same way as other complaints, and we will make sure we are speaking to the complainant and discuss the complaint directly with them rather than through social media. As social media pages are visible to the public, private or personal information, including information relating to others, will not be posted on these sites).

9. Who can complain?

9.1. We accept complaints from anyone who is affected by our housing or related services, including repairs, improvement works and grounds maintenance, including those who carry out work on our behalf such as contractors.

Complaints made about non housing related issues will be forwarded to the relevant department.

- 9.2. Complaints may be made by tenants or members of their household, neighbours of our tenants or those applying to us for housing. Complaints may also be made by representatives on behalf of the above, but we would need permission to deal with them on a complainant's behalf.
- 9.3. Complaints submitted by Councillors and MPs on behalf of a constituent, or made to the chief executive or a director, will be treated as a new complaint and dealt with through the complaint process. Should this relate to an existing complaint, the two complaints will be dealt as one and the Councillor or MP kept updated. In such cases, we will respond to both the complainant and Councillor or MP.
- 9.4. Where a complaint is made by a representative of the complainant, including a Councillor or MP, and is not linked to an existing complaint made by the complainant, we will respond to the representative only.
- 9.5. Anonymous complaints will be followed up, but we may not be able to respond to these due to insufficient information.

10. How we deal with complaints

10.1. Informal Complaints

We understand some complaints can be dealt with quickly and informally at the 'initial point of contact'. We will explain if this can be dealt with as an informal complaint and provide a response within **two working days** of the complaint being received by the housing team. If a complainant is unsatisfied with this response, or does not wish to have a complaint dealt with as an informal complaint, it can be dealt with as a formal complaint.

10.2. Formal Complaints

Where we cannot deal with a complaint informally, we will explain this and treat it as a formal complaint. Formal complaints are dealt with through a two stage process as explained below.

- 10.3. All complaints are logged onto our complaints managing system and where it is a formal complaint an acknowledgment will be sent to the complainant within **three working days**.

11. Closing a Complaint

We will close a complaint:

- when we have completed our investigation and sent a response there is no further response from the complainant within 20 working days of the response being sent at either Stage 1 or Stage 2.
- When the complainant has told us they do not wish to take it any further

- When a resolution has been agreed between the complainant and the Council. If we fail to do as we say we would, the complaint can be reopened at the stage at which it was closed and continue as a complaint.
- The matter is part of a legal ruling or in litigation
- We have explained there is nothing more we can do to resolve the matters
- The complainant acts in an unreasonable manner in their demands or refuses to cooperate with us in resolving the matter

11.2 We will inform the complaint being closed and our reasons for this. The complaint may be reopened if there is sufficient reason such as new information relating to the initial complaint.

12. Complaints Process

12.1. The complaint process consists of two stages, after which the complaint is considered to have been dealt with through our complaint process. Formal complaints will be acknowledged within three working days.

13. Stage 1 – Initial resolution.

13.1. The complaint will be assigned to a 'lead officer' within the housing service who will investigate the complaint and provide a 'Stage 1 response' within **10 working days** of the complaint being submitted. Where a complaint relates to more than one service area, the lead officer will coordinate the investigation across these areas and provide the final response.

13.2. Where we are unable to respond within 10 working days, the lead officer will contact the complainant and explain why and give a new date by which a response will be given. This must be no more than a further 10 working days from when they contact the complainant.

13.3. When the response at Stage 1 is sent, the complaint will be moved to pending for 30 days, at which point it will close, unless the complainant has asked for it to be reviewed at Stage 2.

14. Escalation of Complaint

14.1. If the complainant would like the response to be reviewed at Stage 2, they should tell us within **20 working days** of receiving the response. If they make this request outside of the 20 days, we may choose not to escalate it to stage 2.

15. Stage Two of the Complaints Process

15.1. **Stage 2 – Review stage 1 response.**

15.2. If the complainant is not satisfied with the Stage 1 response, they may ask for the response to be reviewed at **Stage 2**. The request should include details

of why they feel the response has not addressed their complaint and what outcome they would want from this review.

- 15.3. Stage 2 reviews are carried out by a senior manager. We will acknowledge the request and inform the complainant that it is being dealt with at Stage 2 within **3 working days**. The request will be assigned to a senior manager who will review the response and may contact the complainant for further information. We will respond within **20 working days**.
- 15.4. Where we are unable to provide a response within this time, we will contact the complainant to explain why and set a new date for a response to be made no later than a further 10 working days.
- 15.5. The stage 2 response will explain the outcome of the review and any further actions that may be agreed. Stage 2 is the final stage in our complaints process and the response will explain the options if the complainant is still not satisfied with our response.

16. Escalation after stage 2

- 16.1. If the complainant remains unsatisfied with our response after Stage 2, or if we have refused to escalate the complaint following stage 1, they have the right to refer their complaint to a '**Designated Person**' or to the '**Housing Ombudsman**'. These are explained below.

17. Designated Persons

- 17.1. The Localism Act 2011 introduced the option to take complaints to a 'Designated Person/Panel'. In South Kesteven, designated persons are local district councillors or local MPs. A complainant may involve these at any time during a complaint as a representative on behalf of a complainant or at the completion of stage 2 in their role as a Designated Person.
- 17.2. The role of a designated person is to help resolve the complaint by acting as a 'critical friend' by providing advice and advocating on a complainant's behalf. They can recommend a change in the decision but cannot insist on a decision being changed. If they feel they are unable to resolve the issue, they may refer the complaint to the housing ombudsman with the complainant's agreement.
- 17.3. Someone can find out who their local councillor is by searching the SKDC website by going to Home/Your Council and democracy/Councillors or at: <http://www.southkesteven.gov.uk/index.aspx?articleid=8443#councillors/all>
- 17.4. Local MPs can be found at: <https://members.parliament.uk/constituencies/>

18. Housing Ombudsman

- 18.1. The Housing Ombudsman Service acts as an independent body to support tenants in making a complaint to their landlord by providing advice. A complainant can contact the Ombudsman at any time during the complaint for advice, but they will not deal with the complaint until the Council's formal complaint procedure has been exhausted. They will inform the Council of the complaint and ask us to address it through this complaints process. The complainant also has the right to contact the Ombudsman if we have not responded to it in the time we gave, and we have not contacted the complainant beforehand regarding any delay.
- 18.2. If the complainant is not satisfied with the Council's final stage 2 response, they have the right to refer the complaint to the Ombudsman but must wait **8 weeks** after receiving the final response before this can be done.
- 18.3. The Ombudsman will contact the Council for further information on the complaint and review the response and how it was managed. Once they have completed their review, they will write to both the Complainant and the Council with their response. We will comply with their determinations and act in line with any recommendations they make.
- 18.4. The Ombudsman decisions are final and there is no right of appeal.
- 18.5. The Housing Ombudsman can be contacted at:
Housing Ombudsman Service
PO Box 152
Liverpool L33 7WQ
0300 111 3000
info@housing-ombudsman.org.uk

Further information on the Housing Ombudsman can be found at:
<https://www.housing-ombudsman.org.uk>

19. Unreasonable behaviour/complaints

- 19.1. We acknowledge that submitting a complaint can be a cause of stress and frustration. However, where complainants act in an unreasonable manner we will consider our approach accordingly. Where we take such action, we will inform the complainant and explain how they can access our services under the restrictions placed on them.
- 19.2. Action we may take includes:
- Refusing to take the complaint further until the behaviour stops
 - Restricting contact to a named officer and by a specified means
 - Dealing with the issue outside of the complaints process
- 19.3. The circumstances in which we will consider such action are:

- Unreasonable behaviour – Aggressive or abusive language or behaviour is not acceptable. This includes threatening statements, derogatory remarks or making allegations.
- Unreasonable demands – This includes where the complainant makes unreasonable demands on officers regarding levels of contact or responses, insisting on contact with specific officers only without good reason, raising unrelated issues or changing the complaint without reason.
- Unreasonable persistence – This includes refusal to accept the decision made regarding the complaint when there are no further actions that can be taken, refusing to accept our explanations regarding expectations, or continuing to complain without any evidence or reason.

19.4. Action will only be taken regarding the above issues where attempts to address the complaint through the complaints process have been unsuccessful and the behaviour persists after the complainant has been informed of their unreasonableness.

20. Monitoring and Learning from complaints

- 20.1. Complaints are important to us as they help us identify where we may be able to improve and change how we deliver our services. We will record all complaints and monitor them in terms of their subject and how we dealt with them. We will use this information to help us learn from complaints and improve service delivery. We will also ask complainants for their feedback on how we handled their complaint and use this to help us improve our complaints process.
- 20.2. We will report on this through the Corporate Management Team and relevant committees, and to our tenants through our website and the tenant's newsletter.

21. Where this policy can be found

- 21.1. This policy will be made available on our website and copies will be placed in our customer services centres. Copies will also be placed in our sheltered housing schemes. Information on how to complain will be part of the tenant's handbook and will be featured in our tenant's newsletter.

Complaints Process

All complaints must be logged onto civica and assigned to the relevant officer to deal with initially. Notes must be kept at each stage and copies of all communications saved on civica.

