

Nuneaton & Bedworth Borough Council Procedure

Housing Complaints

October 2020

Review date: October 2023

1. Introduction

1.1 Nuneaton and Bedworth Borough Council acknowledge that – despite our best intentions, things do sometimes go wrong. When this happens we want to put things right. We want our customers to be satisfied with our service. We welcome hearing our customers comments, compliments and complaints to better understand how they view our services and to use these valuable opportunities to learn and improve for the future.

1.2 This document provides the framework for ensuring that complaints received about the Housing Service are handled consistently, fairly and effectively.

2. What is a Complaint

1.2 The Housing Service defines a complaint as:

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.

2.2 A complaint is any expression of dissatisfaction about the service the Housing team has delivered or the failure to deliver a service, which requires a response.

2.3 Complaints may be about:

- The fairness or professionalism of interaction with officers
- Failure to do something we should have done
- Refusal to provide a service or delivery of poor service
- Failure to follow the correct policy or procedure
- An observation about our service or people which requires action
- A suggestion about how things can be improved

2.4 The following issues are **not** defined as a complaint by the Housing Service:

- Occasions where the service has not been made aware of a customer's dissatisfaction and not been given an opportunity to solve the matters
- General comments or feedback
- Requests for information
- First requests for a service or first reports on faults
- Matters that would be more appropriately considered by an insurer
- Matters for which there is a right of appeal or legal solution
- Disagreement with Housing Policies

2.5 If for any reason we decide not to deal with a complaint under this procedure, we will provide an explanation of that decision in writing.

3. Customer satisfaction

3.1 This document is designed to give satisfaction to the customer, either directly in the way that services are delivered or in the way that their complaints are handled.

3.2 Style of service - what the customer should expect to receive

- a professional, polite and courteous approach
- open, friendly and truthful employees
- employees should identify themselves by name and job function and be recognised as Council employees
- employees should take ownership of an enquiry, not pass customers around
- full attention to the complaint or enquiry
- employees should exercise discretion and confidentiality
- a clear understanding of what will happen next and an indication of when it will happen including updates on a regular basis.
- easy to understand responses without jargon, and given promptly or within published timescales

- employees should keep appointments and be on time
- customers should be aware of their rights and given correct relevant information where it is available
- customers should know how to make a complaint about the Council's Housing Service if necessary
- most importantly all customers should be treated equally in accordance with the Council's Policies, core values and key aims and objectives.
- and in return the Council is entitled to expect its customers to deal honestly and openly with it on all matters

4. Communication

4.1 Good communication, both internally within the Council and externally with its customers is vital to a successful complaints service.

4.2 It is important that employees have a good understanding of the policies that affect their area of work or operation so that these can be clearly and accurately explained to people when necessary.

4.3 It is important that our customers understand what can or cannot be done in relation to their problem or complaints. If we cannot help them, we should be able to explain why, and direct them to where they may be able to find further help.

4.4 We should encourage, wherever possible, a two-way communication process. Our customers should be encouraged to respond:

- if the problem reoccurs
- if further explanation or clarification is required
- if a person is dissatisfied; and to let us know how we are doing; including positive comments.

4.5 Particular care should be paid to the needs of those customers who find communication difficult due to language barriers, or sensory impairment and appropriate assistance offered.

5. How to make a complaint

- Complaints can be made in the following ways:
- Via the Council's website
www.nuneatonandbedworth.gov.uk/feedback
- By emailing customer services at
customer.services@nuneatonandbedworth.gov.uk
- By contacting an officer directly

- By telephoning 024 7637 6523
- By Letter
- In person at the Town Hall. The Housing Service is committed to making its service accessible to all those who need them. The Council's public reception areas are designed to be practical, comfortable and informative. The Town Hall attendants are able to help customers by directing them to the correct location and by answering general enquiries. Front line reception employees are also trained to assist customers
- by giving general direction and help.
- By Typetalk (0800 515 152)
- Through your local Councillor, Solicitor, friend or relative

The Housing Service can also accept complaints anonymously and can still investigate the matter even though it cannot respond to the complaint

6. What will happen when I make a complaint?

Stage 1

6.1 When we receive your complaint, the nature and type of the complaint will be assessed by one of our nominated Complaints Officers.

6.2 Our priority is to resolve concerns and complaints as soon as they come to our attention. We therefore expect customers to first approach the team or person responsible for delivering the service they are unhappy about so that the matter can be addressed.

6.3 The complaint will be recorded and given a unique complaint number (which will be used until the complaint is resolved.) This will help us track the progress of your complaint and assist you, if for some reason you need to contact the Council again.

6.4 Matters should be resolved as soon as possible and within 10 days of the acknowledgement; for complex cases this may be extended for a further 10 working days. If matters cannot be resolved within the maximum timescale of 20 working days, we will contact the complainant to let them know of the delay and advise when we will be able to respond by.

6.5 Where further information is required from the complainant, we will put a hold on the response timeframe until such information has been

received. The complainant will therefore be notified that their complaint will be reopened and progressed further once we receive the necessary information.

6.6 Where attempts for early resolution with the relevant person or team have been unsuccessful then the complaint will be progressed for a formal response under Stage 2 of the complaints process.

Stage 2

6.7 If you are not satisfied with the outcome of your Stage 1 complaint, then you can request that your complaint be escalated to Stage 2 of the complaints process. The complaint will be investigated and responded to by a Senior Manager.

6.8 The response will be provided as soon as possible and within the 10 working days of the acknowledgement. If the response is not be completed within this timeframe, then we will contact the complainant to let them know of the delay and advise when we will be able to respond by.

6.9 In the vast majority of cases a written response will be provided to the complainant. However, in some cases it may be more appropriate to first respond verbally (via telephone or face to face), followed by a written confirmation of the conversation and outcome.

6.10 The response will be monitored by the complaints officer and must clearly state what decision has been reached regarding the complaint. Where the complaint has been **upheld or partially upheld**, the response will contain:

- An explanation as to what happened and why things went wrong
- An apology for service failures
- Details of the corrective action to be taken and the appropriate redress
- The timescale within which the action will be taken
- The name of the officer responsible for ensuring action is taken and their contact details
- Appropriate and clear instructions about anything the complainant needs to do
- Where appropriate, details of the actions to be taken to prevent a recurrence of the problem.

6.11 Where the complaint is **not upheld** the response will provide:

- Background information relevant to the complaint
- An explanation of the decision

6.12 The response usually represents the Councils final response and will advise the complainant of their right to escalate matters to the Housing Ombudsman, should they remain dissatisfied (**Stage 3**).

7. Stage 3 - The Housing Ombudsman

7.1 The Housing Ombudsman considers complaints about public bodies including local authorities. The Housing Ombudsman investigates complaints about poor service, failure to provide a service and administrative failure.

7.2 If after exhausting Stage 1 and Stage 2 of the complaints process and a complainant remains unhappy with the way in which their complaint has been handled they have the right to complain to the Housing Ombudsman.

7.3 The Housing Ombudsman is on hand to offer support and guidance to Landlords and Customers throughout the complaints process and can be contacted by using the following details;

Telephone: 0300 111 3000

Phone lines will be open Monday, Wednesday and Friday from 9.15am to 5.15pm (except public holidays).

Calls to and from 0300 111 3000 and direct dial lines of the Dispute Resolution Team are recorded for training and monitoring purposes

Alternatively you can send an email to info@housing-ombudsman.org.uk

Or you can write to:

The Housing Ombudsman
Exchange Tower
Harbour Exchange Square
London
E14 9GE

7.4 The Housing Ombudsman published a new Complaint Handling Code in July 2020, setting out good practice that will allow landlords to respond to complaints effectively and fairly.

Key areas in the Code

- Universal definition of a complaint
- Providing easy access to the complaints procedure and ensuring residents are aware of it, including their right to access the Housing Ombudsman Service
- The structure of the complaints procedure - only two stages necessary and clear timeframes set out for responses
- Ensuring fairness in complaint handling with a resident-focused process
- Taking action to put things right and appropriate remedies
- Creating a positive complaint handling culture through continuous learning and improvement
- Demonstrating learning in Annual Reports.

7.6 The Code is part of the Ombudsman's new powers in the revised Housing Ombudsman Scheme.

Self-assessment

7.7 The Council have been asked to self-assess against the Code by 31 December 2020 and publish the results. This assessment is attached to this document.

8. Remedies & Redress

8.1 When a complaint is upheld, we will consider the appropriate remedy, examples of which include:

- A written full apology and a full explanation. Where appropriate, this may be conveyed in person and confirmed in writing
- Where a service has been wrongly denied to anyone, or has been wrongly withdrawn, it shall be provided or restored where appropriate
- If the financial loss or damage is specifically attributable to the Housing Services wrongful action or inaction, the service shall consider full or appropriate reimbursement of that loss or damage.

9. Relevant Legislation

- The Data Protection Act 1998 & 2018
- The Freedom of Information Act 2000
- The Human Rights Act 1998
- The Equality Act 2010

10. Equalities

10.1 This document will apply to all. Nuneaton and Bedworth Borough Council is committed to promoting equality of opportunity and to eliminating unlawful discrimination on the grounds of race, age, disability,

gender, sexual orientation, religion, belief, class, financial status and any other difference that can lead to discrimination or unfair treatment.

10.2 The Council can produce this document in braille or in a different language if required.

11. Review date

11.1 Every three years or on the introduction of new legislation, regulation or good practice guidance.

Housing Ombudsman Complaint Handling Code:

Self-assessment form Nuneaton & Bedworth Borough Council

Compliance with the Complaint Handling Code			
1	Definition of a complaint	Yes	No
	Does the complaints process use the following definition of a complaint? <i>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.</i>	X	
	Does the policy have exclusions where a complaint will not be considered?	X	
	Are these exclusions reasonable and fair to residents? Evidence relied upon		
2	Accessibility		
	Are multiple accessibility routes available for residents to make a complaint?	X	
	Is the complaints policy and procedure available online?	X	
	Do we have a reasonable adjustments policy?	X	
	Do we regularly advise residents about our complaints process?	X	
3	Complaints team and process		
	Is there a complaint officer or equivalent in post?	X	
	Does the complaint officer have autonomy to resolve complaints?		X
	Does the complaint officer have authority to compel engagement from other departments to resolve disputes?		X
	If there is a third stage to the complaints procedure are residents involved in the decision making?		X
	Is any third stage optional for residents?		X
	Does the final stage response set out residents' right to refer the matter to the Housing Ombudsman Service?	X	
	Do we keep a record of complaint correspondence including correspondence from the resident?	X	
	At what stage are most complaints resolved?		

4	Communication		
	Are residents kept informed and updated during the complaints process?	X	
	Are residents informed of the landlord's position and given a chance to respond and challenge any area of dispute before the final decision?	X	
	Are all complaints acknowledged and logged within five days?	X	
	Are residents advised of how to escalate at the end of each stage?	X	
	What proportion of complaints are resolved at stage one?		
	What proportion of complaints are resolved at stage two?		
	What proportion of complaint responses are sent within Code timescales? <ul style="list-style-type: none"> • Stage one Stage one (with extension) • Stage two Stage two (with extension) 		
	Where timescales have been extended did we have good reason?	X	
	Where timescales have been extended did we keep the resident informed?	X	
	What proportion of complaints do we resolve to residents' satisfaction		
5	Cooperation with Housing Ombudsman Service		
	Were all requests for evidence responded to within 15 days?	X	
	Where the timescale was extended did we keep the Ombudsman informed?		
6	Fairness in complaint handling		
	Are residents able to complain via a representative throughout?	X	
	If advice was given, was this accurate and easy to understand?	X	
	How many cases did we refuse to escalate? What was the reason for the refusal?		
	Did we explain our decision to the resident?		
7	Outcomes and remedies		
	Where something has gone wrong are we taking appropriate steps to put things right?	X	

8	Continuous learning and improvement		
	What improvements have we made as a result of learning from complaints?		
	How do we share these lessons with: a) residents? b) the board/governing body? c) In the Annual Report?		
	Has the Code made a difference to how we respond to complaints?	X	
	What changes have we made?		