

## Housing Complaint Policy

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Version 2	June 2022 – amend definition of a complaint to comply with the Housing Complaints Handling Code	Review date June 2023



## 1. Aim of policy

We aim to provide our customers with good quality homes and services. Sometimes things don't go to plan and we want to put them right as quickly as possible. We recognise that sometimes things go wrong and customers may be dissatisfied and wish to complain.

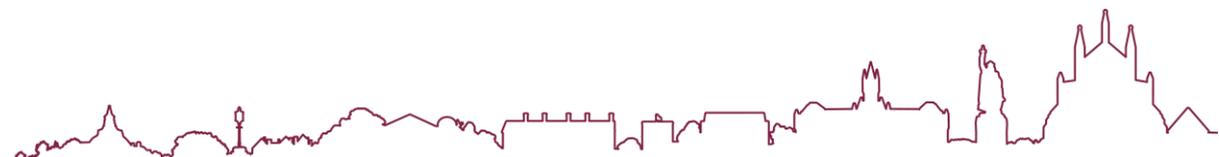
It is important that these complaints are brought to our attention for a prompt and thorough investigation. It provides us with the opportunity to put things right and to learn from mistakes made. All complaints received are viewed positively as a valuable resource, enabling us to continuously improve the services we provide.

## 2. Definition of a complaint

An expression of dissatisfaction about the quality of service, however made, about the standard of service, actions or lack of action by Winchester City Council, its employees, or contractors, affecting an individual resident or group of residents

### What is not a complaint

- Legal and/or insurance proceedings. A complainant has started court action or an insurance claim against the council in respect of specific issue(s) covered by their complaint. These complaints will be removed/excluded from our complaints process.
- Repair issues raised via an existing local resolution procedure (e.g. customer feedback cards/letters for repairs) - see para. 8
- Complaints from one resident about another. The customer should firstly contact the tenancy housing team for advice on neighbour disputes. Complaints of anti-social behaviour are covered by the council's [Anti-Social Behaviour](#) policy but a complaint can be accepted should a customer be dissatisfied with how their case was handled.
- Matters already being dealt with by the Ombudsman service.
- Liability or personal injury claims.
- A request for an appeal or review of a statutory decision.
- Any complaint closed over six months ago unless:
  - There are issues ongoing related to the complaint.
  - An MP or Ombudsman have asked us to review the complaint.
  - There is good reason for delay.



### 3. Statutory/Regulatory requirements

The Regulator for Social Housing requires social housing landlords to have an approach to complaints that is clear, simple and accessible. This policy incorporates the key requirements of the following legislation, regulations and guidance:

- [Schedule 2 of the Housing Act 1996.](#)
- [Tenant Involvement and Empowerment Standards.](#)
- [Data Protection](#)
- [Equality Act 2010](#)
- [Housing Ombudsman Service scheme.](#)

### 4. Data Protection and Privacy

We respect the confidentiality of all complainants. The collection, storage, access to, provision and disclosure of data is done in accordance with the Data Protection Act 2018.

A complaint and personal details will only be disclosed to council employees and appropriate representatives of its contractors in order to provide a response.

[Data Protection and Privacy Policy](#)  
[Data Protection and Privacy for council tenants](#)

### 5. Who can make a complaint

We accept complaints from customers, or anyone directly impacted by housing related or other services, including those applying for housing services. We will also accept complaints from a representative acting on behalf of a customer and through a [petition](#) made to the council. It is recognised that there is more than one way in which customers can complain and let us know about service issues and concerns.

### 6. How to make a complaint

Complaints can be made in a number of ways:

- By email to [customerservice@winchester.gov.uk](mailto:customerservice@winchester.gov.uk)
- Completing the [complaints on-line form](#)
- By telephone through the Housing customer service centre on 01962 848 400



- In writing to Winchester City Council, Colebrook Street, Winchester, Hants, SO23 9LJ
- Directly to an officer of the council
  
- Via social media - Facebook and Twitter - complaints received through our social media channels will be dealt with in the same way as any other complaint. To ensure confidentiality we will only discuss personal information via private messages.

## **7. How will the complaint be handled?**

The best way to sort out a problem is by raising a service issue with the person you have been dealing with or their immediate line manager. This is called local resolution. At this stage we think those people who deliver the service are best placed to resolve an issue. Mistakes and misunderstandings can usually be sorted out quickly and informally at this stage.

If you have been unable to resolve your complaint at the informal stage or via the normal repairs feedback process then you can move to the next stage/s as set out below.

### **Stage one complaint**

To raise a formal complaint please complete the [online complaints form](#) you will be given a reference number for your complaint.

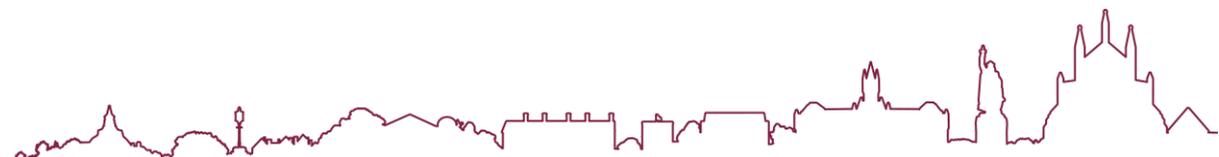
You can also request a printed copy of the complaints form from the council's Customer Service Centre by emailing [customerservice@winchester.gov.uk](mailto:customerservice@winchester.gov.uk)

The council will acknowledge your complaint within five working days, investigate and respond within ten working days.

### **Stage two complaint**

Should you feel that your complaint has not been resolved at stage one, you can contact the Chief Executive Office at [complaints@winchester.gov.uk](mailto:complaints@winchester.gov.uk) quoting the complaint reference number you were given at stage one. You will need to set out why you are not satisfied and what you expect from a further review. You will receive a response within ten working days.

### **Next steps**



If you have been through all stages of the complaints procedure and remain dissatisfied with the response you can ask the [Housing Ombudsman Service](#) to investigate.

To contact the Housing Ombudsman Service, you can ask one of the following to refer your complaint:

- A Member of Parliament (MP)
- A local Councillor

You can also contact the Housing Ombudsman directly but please note that the Ombudsman will not be able to investigate your complaint until eight weeks from the closed date of the complaint.

The contact details for the Housing Ombudsman Service are:

- Online complaint form: [www.housing-ombudsman.org.uk/residents/make-a-complaint/](http://www.housing-ombudsman.org.uk/residents/make-a-complaint/)
- Phone: 0300 111 3000
- Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)
- Postal address: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

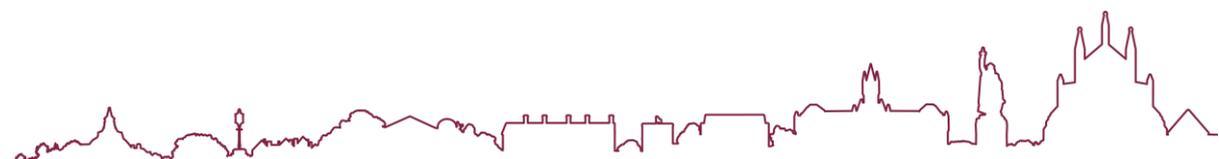
## **Complaints through a Representative**

Everyone has the right to appoint someone else to act on their behalf. A representative can be a parent, a husband, wife, or civil partner, an adult child, a friend, an attorney, advocate, solicitor, or a local councillor or MP. Regardless of the closeness of the relationship between the complainant and the person acting on their behalf, we must have proper consent before we can correspond with the representative.

Should a complaint be made through a representative, we will need to ensure we have the appropriate consent to share from the complainant. This would usually be in the form of a written consent giving the representative permission to act on the complainant's behalf.

The role of a 'representative' is to help resolve tenant or other housing customer complaints by:

- providing advice to tenants/housing customers
- advocating on their behalf
- discussing matters with the landlord
- engaging with other designated persons



## 8. When a complaint is closed

- Investigation is complete and a response to the complainant is provided.
- When a resolution is agreed with the landlord's commitment to deliver the action.

## 9. Managing unreasonable and persistent complaints

In general, dealing with a complaint is a straightforward process, but in a minority of cases people pursue their complaints in a way that can delay the investigation of their complaint or can have significant resource implications for the council.

The [Unreasonable and Persistent Complaints](#) policy has been formulated to deal with the very small number of complainants whose frequency of contact with the council, unsolvable and persistent complaints, or unacceptable behaviour makes it necessary for special measures to be taken.

## 10. Meeting diverse needs

The council recognise and value the diversity of its communities. We aim to reduce barriers and so ensure that everyone has equal access to the complaints service. The council is committed to treating everyone fairly and shall ensure that it complies with the [Equality Act 2010](#).

Should you have any particular needs which affect how you are able to use or be involved in our services or how you would like to receive information, please contact the Customer Service Centre [customerservices@winchester.gov.uk](mailto:customerservices@winchester.gov.uk)  
For further information on [accessibility](#)

## 11. Learning from complaints

The council will use the outcomes of housing service complaints and any corrective action taken to improve its services. We report any improved service change made following a complaint outcome and publish it on the council's housing website page.

Complaint statistics can also be found on the housing complaints page.

As a council landlord we regularly meet to monitor complaints with its tenant engagement group, 'Tenants and the Council Together' (TACT), and Service Delivery Groups (SDG) quarterly. We also publish our outcomes on the website and



through the annual report as published on the website  
<https://www.winchester.gov.uk/housing/council-housing-tenants/tenant-news>

[www.winchester.gov.uk/complaints](http://www.winchester.gov.uk/complaints)

