



Chartered  
Institute of  
Housing

# How to...handle complaints effectively



## Introduction

Both the social housing green paper '[A new deal for social housing](#)' (published in 2018) and subsequent social housing white paper '[The charter for social housing residents](#)' (SHWP), highlighted the way that social housing providers deal with complaints. Whilst this isn't universally poor, there are times when landlords fall short of what tenants should be able to expect.

This feeds into a wider discussion that CIH has been involved in on stigma, social housing and the people who live in it. In our joint report, on stigma and social housing, with 'See the person' entitled '[It's not okay](#)', we highlighted that sometimes social landlords are part of the problem. Our research for that report told us that negative stereotypes about people who live in social housing had led to a culture of 'institutional deafness', 'judgmental behaviour' and 'dismissiveness' from some landlords, echoing comments made during the ongoing inquiry into the events surrounding the fire at Grenfell Tower in June 2017. In some organisations, housing management practices have been built on assumptions about tenants being available at any time for repairs visits rather than running an appointment system, or limiting the way that tenants can comment on, prioritise, and help to develop services.

### Tenants who contributed to 'It's not okay' told us:

*"When signing up for the tenancy, it was assumed I was on benefits."*

*"Assuming single parents don't work and only claim benefits."*

*"They assume that we are home all day, so only give 8am - 6pm appointments."*

*"Not offering weekend/out of hours repairs to people who work."*

Handling complaints well isn't just a case of following the procedure. How you respond to, and handle complaints is indicative of your wider organisational culture. Your organisational values and behaviours feed through to the way complaints are dealt with more broadly. Landlords should work to develop a positive culture, where residents are listened to, complaints welcomed, and problems resolved quickly and effectively. In our 'It's not okay' report, tenants told us some of things that landlords could do to improve their organisational culture and the way tenants and spoken about and treated.

They told us that customer focused, and tenant led approaches are key to ensuring that tenants feel empowered. The values and culture of an organisation comes from the top. The board and senior executives set the parameters for tenant influence - it's important that they understand the power they have, to empower or disempower tenants and residents. In 'It's not okay', tenants highlighted some of things that can be done to make them feel empowered

*"Ensure that boards are more reflective"*

*"Senior staff that place customers at the heart"*

*"Do things with, rather than for/to tenants"*

*"Put the customer at the heart of decision making - this is applicable to staff throughout the organisation!"*

*"More challenge to attitude and behaviours"*

*"Culture change and more diversity and tenant employees"*

*"Zero tolerance to stereotyping with a clear complaints process. Many organisations claim they have this but often a tick box exercise"*

Good complaints handling is something that residents feel strongly about. When they asked for volunteers to sit on a tenant advisory panel, the Housing Ombudsman Service received over 600 applications which shows how important this is to many tenants. Your best source of information, your residents, are passionate about engaging with you about this subject.

This guide is intended to give you all the information you need to successfully develop a positive complaint handling culture, handle complaints and other concerns that tenants raise with you successfully, and meet the requirements of the housing ombudsman scheme and complaint handling code.

## The complaint handling code of conduct

To support you to deal with complaints well, the Housing Ombudsman Service has published a [complaint handling code of conduct](#). If you are a registered provider (RP), arms-length management organisation or local housing authority providing social housing, you are required to sign up to the Housing Ombudsman Service and abide by the scheme and the code. Private landlords may sign up to the Housing Ombudsman Service and code of conduct but are not compelled to do so.

The code contains a self-assessment tool. Members of the Housing Ombudsman Service should have already completed the self-assessment and published it on their websites by 31 December 2020. In publishing your self-assessment, you could simply publish an annotated PDF of the Housing Ombudsman Service document as WDH have done [here](#); or do something more bespoke as Places for People did, [here](#).

## Defining and recognising a complaint

To ensure that complaints processes are resident<sup>1</sup> friendly and there is a consistent approach between landlords, the Housing Ombudsman Service has given a definition of a complaint which members are strongly advised to use in their policies. A complaint is defined 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.”*

*“The resident does not have to use the word complaint in order for it to be treated as such. Landlords should recognise the difference between a service request<sup>2</sup> (pre-complaint), survey feedback and a formal complaint and take appropriate steps to resolve the issue for residents as early as possible.”*

Landlords are encouraged to resolve disputes at the earliest point possible. They may, therefore, be able to resolve the issue without it becoming a formal complaint. However, where that resident remains dissatisfied and is clear that they wish to make a complaint, then it should be logged and dealt with as such.

At this point, a simple apology and gesture of good will may be enough to resolve the issue at this point. For example:

### **‘We’re sorry fund’**

South Tyneside Homes have a ‘We’re sorry’ budget that can be used to pay for small gestures of good will to complainants, alongside an apology. They have found that tenants appreciate this.

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(Head of Housing and Area Management) -  
[michelle.evans@southtynesidehomes.org.uk](mailto:michelle.evans@southtynesidehomes.org.uk)

As a matter of good practice, all expressions of dissatisfaction by your residents should be recorded, these can be used alongside the record of formal complaints to identify trends and opportunities to learn and improve.

### **South Tyneside Homes**

South Tyneside Homes regularly report all complaints to their board including how they were resolved, to ensure that the organisation learns from complaints. They also report on all complaints that were not upheld to look for patterns in these also.

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<sup>1</sup>Residents’ is used throughout as this is the term used by the Housing Ombudsman Service, however it refers to all tenants, residents, leaseholders etc.

<sup>2</sup>Service requests are defined as a request from the resident, or their representative, for something which has been agreed as a normal part of service delivery. For example, reporting a repair or changes to a support service. Some landlords also include initial reports of ASB as service requests.

## Complaints policies and procedures

The Housing Ombudsman Service complaint handling code states that complaints policies and procedures shall:

- Be clear and accessible to residents
- Comply with the Equality Act 2010 by enabling reasonable adjustments to be made
- Have at least two stages to allow residents to appeal your decision if they do not agree with it
- Not have more than three stages - the Housing Ombudsman Service discourages having more than two stages; where a landlord must have a third stage, this must be justified as part of their self-assessment against the complaint handling code
- Be easily findable and downloadable from your website
- Be promoted using leaflets, newsletters, online media, and other correspondence
- Provide early advice on residents' rights to access the Housing Ombudsman Service for support at any point during the complaints process.

It must also state:

- The number of stages in the policy
- What happens at each stage and the expected timescales (see below)
- When the landlord has discretion on how to deal with a complaint, and who has the power to exercise that discretion.

You should also provide contact information for the Housing Ombudsman Service as part of your regular correspondence with residents.

There are occasions when some tenants might cross the line in what they say or do when making a complaint or receiving feedback that isn't what they expect or want to hear. The complaint handling code requires landlords to have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.

This should not stop you from dealing with their complaint properly, although it may affect the way you contact them about the outcome. It may also mean that you need to provide further support to staff members who have to deal with confrontational situations.

Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs. For example, you should take into account any physical disability, mental health problem or communication issue that might affect their ability to communicate. It might be frustration that is causing their behaviour rather than outright aggression.

Any limits you put on tenants' communication should demonstrate regard for the provisions of the Equality Act 2010.

## Handling complaints

Making a complaint should be as easy as possible for your residents. Landlords should accept complaints from the range of channels that they use to communicate with residents, including social media.

All staff who are likely to receive or respond to complaints should be trained to do so in a sensitive and empathetic manner and trained on who to pass the complaint to.

The complaint handling code requires that you must have a person or team assigned to take responsibility for complaints handling. In smaller landlords they do not have to be solely doing this role.

The named person(s) in your organisation who handle(s) complaints should:

- Act sensitively and fairly
- Be trained to receive complaints from distressed and upset residents
- Have access to staff at all levels to resolve issues
- Have the authority and autonomy to act to resolve complaints quickly and fairly
- Be competent, empathetic, and efficient.

Professional competence, language, behaviours and an ethical approach are an important part of developing a customer focused culture where complaints are welcomed and dealt with in a positive way. CIH's professional standards framework provides a way for your organisation and staff to reflect on their professionalism and self-assess their training and other development needs.

Complaints should be handled:

- Independently and with an open mind
- Addressing any actual/perceived conflict of interest e.g. staff should not investigate complaints about their own conduct
- Considering all information/evidence carefully
- Confidentially as far as possible with information only disclosed if necessary for a proper investigation; and with due regard to GDPR.

Residents and staff involved in the complaint must be given an opportunity to:

- Set out their position
- Comment on any adverse findings before a final decision is made.

### Top tips - If you are the person receiving a complaint

Every front-line officer is likely to receive complaints from tenants from time to time. You should:

- Know how to recognise a complaint. The Housing Ombudsman Service recommends that you treat any expression of dissatisfaction about the standard of your service, your actions or your lack of action in this way. Don't wait for tenants to explicitly describe their issue as 'a complaint'
- Take ownership. Even if the complaint is not about your service or department, take down the necessary details and commit to passing them on to the appropriate person. Don't ask the tenant to phone the office or to put their complaint in writing
- Keep a record of the complaint, even if you are able to resolve it immediately. Complaints are a valuable source of information for your organisation, which can help you to identify where improvements could be made to your services. It's great if you are able to resolve a complaint there and then but you should still record it and pass the details on, otherwise you are more likely to have to deal with a similar issue again in the future.

## Communication with tenants

This is the single most important aspect of managing complaints, and indeed relationships with residents, well. CIH encourages landlords to develop their approach to, and communications about, complaints in partnership with tenants and residents.

Your communication with tenants should:

- Use plain language appropriate to the resident and be welcoming in tone
- Address all points in the complaint referencing relevant policy, law, and good practice
- Advise the resident of:
  - The complaint stage
  - The outcome
  - The reasons for the decisions taken
  - The detail of any remedy offered
  - Any outstanding actions
  - How to take the complaint further if the resident feels it has not been resolved
- Adhere to the timescales and communication methods agreed
- Provide regular updates to the complainant - even where there is no new information
- The organisation needs to own and take responsibility for the complaint including when it relates to something a contractor or partner acting on behalf of the landlord has done or not done.

The Housing Ombudsman Service has provided a template letter to respond to complaints here.

When you are investigating complaints and responding to tenants and others (whether verbally or in writing), it's vital that you are careful about the language you use. Language can unintentionally send a negative message about how you see your tenants. Our 'It's not okay' report highlights things that tenants told us they like to see and prefer not to see.

### Stop using

- Words that put people off or pass responsibility
- Negative labels that categorise -e.g. 'our tenants' - as one respondent put it; 'the property belongs to you, not the people in it'
- Language that makes people 'other' e.g. 'vulnerable' - or even worse
- Jargon or 'corporate bingo' words - 'void', 'anchor institution', 'empower'.

### Start using

- Positive, problem-solving words
- Apologies, when needed
- Words that are inclusive and person-centred (and mean it) 'how can we help you' 'your opinion matters'
- Positive statements about social housing and tenants - not categorising
- Plain English - 'house', 'home'

## Complaints handling - the process

Both CIH and the Housing Ombudsman Service support resolving complaints at the earliest possible opportunity, the timescales below should therefore be treated as guidelines for the longest time you should take. The timescales given here are taken from the complaint handling code, failure to meet them could result in an adverse finding from the Housing Ombudsman Service.

### Stage one

When a resident makes a complaint, at stage one you should:

- Acknowledge and log the complaint within five working days
- Give the resident the opportunity to explain their point of view
- Find out from the resident what outcomes they are looking for
- Manage the resident's expectations if the outcomes they ask for are not proportionate to the nature of the complaint
- Confirm your understanding of the complaint. Your assessment should include:
  - What the complaint is about
  - What evidence is needed to fully consider the issues
  - What risks the complaint raises for the landlord and the tenant(s) e.g. are there any immediate health and safety issues that need resolving immediately because a) they may endanger the resident(s) or others or b) may lead to civil or criminal liability on your behalf
  - What outcome would resolve the complaint for the tenant
  - Any urgent action needed
- Give the resident the opportunity to have a representative deal with their complaint and/or to be represented/accompanied at any meetings with you where requested/reasonable why and the date by which your response will be received by them. This should not exceed a further 10 days without good reason.

If the resident disagrees with your decision at stage one, they can request to escalate the complaint to stage two. You must not unreasonably refuse to do this.

## Soha Housing

Soha actively welcomes complaints from its customers. It helps them to identify areas of weakness which they are able to learn from in order to continually improve services.

There are two stages in our formal complaints process.

Stage 1 - Following receipt of a complaint, it is recorded and acknowledged within three working days. It is then passed to a Senior Manager who will investigate and provide a response within ten working days. If the complainant is unhappy with the response, they can progress to Stage 2.

Stage 2 - A panel of three Board members including at least one resident Board member will hear the complaint and complainants may be invited to speak directly to the panel. The complainant will then be informed of the decision of the panel. This is the end of Soha's formal complaints procedure. If, following the decision of the panel the complainant remains unsatisfied, they are able to approach the Independent Tenants' Panel for a review of the panel's decision.

Independent Tenants' Panel - Soha has a group of residents who will consider complaints independently. The Panel will comprise of three members from the Members' Forum but they will not be Board members. They will review what Soha has done to try to sort out the complaint and may ask to see the complainant and someone from Soha. They will either try to resolve the complaint themselves or refer them straight to the Housing Ombudsman Service.

Complaints Working Group - Soha has established a Complaints Working Group (comprising residents, a Board member, Senior Managers and staff from across the organisation) who have adopted a 'lessons learned' approach to complaints. The remit for the group is to use the feedback, knowledge and intelligence from complaints to continuously improve our services and responses to residents, use the learning across the business, ensure the complaints process is robust and fit for purpose and provide a reporting mechanism back to the Board, SLT and Members' Forum.'

Contact: **Marisa Elliott** (Governance Lead) - [melliott@soha.co.uk](mailto:melliott@soha.co.uk) or **Jackie Logan** (Resident Engagement and Communities Manager) [jlogan@soha.co.uk](mailto:jlogan@soha.co.uk)

## Stage two

When a request is made to escalate a complaint to stage two, you should consider:

- What the review will be about e.g. why the resident remains dissatisfied, and whether any part of the complaint has been resolved
- Who will undertake the review
- Who needs to be kept informed, and how
- What evidence needs to be gathered, e.g. comments from those involved, relevant policies, any relevant written records, inspections and so on
- How long the review will take and when will it be completed.

If, after making these considerations, you do not escalate the complaint, you must have clear and valid reasons for doing so and provide an explanation to the resident. Your explanation should make clear that the previous response was final, and you must provide them with information on how they can refer the matter to the Housing Ombudsman Service.

If you do escalate the complaint to stage two, you should make the same considerations as stage one, plus consider any new issues the stage one investigation raised. The Housing Ombudsman Service welcomes the involvement of more senior staff and residents as part of the complaints review process, and if you don't do this already, it's worth thinking about how you can build it into your approach.

A stage two decision should be given within 20 working days from the request to escalate - if this is not possible an explanation should be given and a date when the stage two response will be received. This should not exceed a further 10 working days without good reason.

## Stage three

A third stage is not considered necessary, and discouraged, by the complaint handling code. If you believe a third stage is absolutely necessary, you must justify this in your self-assessment against the code. At stage three, you should make the same considerations as at stage one and two (above).

A stage three response should be given within 20 working days from the request to escalate. Any additional time can only be justified where it relates to convening a panel. An explanation and a date when the stage three response will be given should be provided to the resident.

A complaints policy with more than three stages is not acceptable under the complaint handling code and would result in a 'complaint handling failure order' and/or a finding of 'maladministration'.

### Top tips - Investigating complaints

Depending on the nature of your role, you may also be tasked with responding to complaints about your service in the first instance.

- Keep complainants informed. Make sure they always know who is dealing with their complaint and when they can expect to receive a response
- Where possible, pick up the phone. Tenants want to know that you care about their complaint and that you are taking it seriously. Many will appreciate a phone call to discuss it
- Don't be afraid to ask complainants what they want. Once you know the outcome that they are hoping for, you have something to work with
- Consider complaints (and what tenants want you to do to put them right) with an open mind. Effective complaints handling is not all about defending your service, it's about doing all that you can to reach a satisfactory conclusion with the tenant.
- Focus on putting things right, rather than carrying out a lengthy investigation into what went wrong
- If you are going to send a response in writing, make sure that you address all of the points that have been raised and that you do so in a way that is clear and concise. Always use plain English.

### Stockport Homes - Customer Appeals Panel

Stockport Homes' customer appeals panel is a bank of tenants who are trained to investigate complaints and make decisions about them at stage two (the final internal stage).

Complaints escalated to stage two are investigated by a more senior officer than at stage one, usually the head of service, alongside up to two customers from the customer appeals panel. The complainant can choose not to attend the panel, to have the review undertaken without customers on the panel, and/or to attend at a different time to the staff members that investigated the complaint.

Complainants can access support throughout the complaints process, including using a family member, friend, or other representative to put forward their complaint, engaging with an advocacy service, or being provided with reasonable adjustments to ensure their case can be heard. This support can continue throughout the complaints process and can include a resident's representative or advocate presenting the case to the appeal panel on the complainant's behalf.

Where complainants request that a complaint is escalated to the appeal panel stage and that request is accepted, the complainant will be offered contact with a customer from the customer appeals panel. The customer appeals panel member will talk the complainant through the appeals process, answer any questions about the process, and act as a customer guide through the process. This customer appeals panel member will not be involved in hearing the complaint at a panel.

Contact: **Chris Czyzyk** (Customer Feedback Team Leader) - [chris.czyzyk@stockporthomes.org](mailto:chris.czyzyk@stockporthomes.org).



## Escalating to the Housing Ombudsman Service

If the resident wishes to escalate their complaint to the Housing Ombudsman Service, you should support them to do so, and provide them with contact details for the Housing Ombudsman Service and any details for any other assistance they may need e.g. an advocacy service, their MP or Councillor and so on.

Housing Ombudsman Service members must comply with requests for information regarding the complaint and provide this within 15 days or explain any delay. Where the Housing Ombudsman Service accepts the reasons for a delay, they will agree a new deadline - the Housing Ombudsman Service is under no obligation to do so and failure to provide requested information may result in a 'complaint handling failure order'.

### What action can the Housing Ombudsman Service take?

After investigating complaints escalated to the Housing Ombudsman Service, it could either agree with the landlord's decision and any action taken or uphold the complaint and instruct the landlord what remedies it should make to the complainant.

The Housing Ombudsman Service may also make a 'complaint handling failure order' where it finds a landlord has not complied with the requirements of the scheme and the code and order the landlord to rectify this within a given timescale.

Failures under the scheme and code which would result in a complaint handling failure order include, but are not limited to:

- Non-compliance with the complaint handling code
- Failure to accept a formal complaint in a timely manner or to exclude a complaint from the complaints process without good reason
- An inaccessible complaints process and procedure or unreasonable restrictions as to how a complaint can be made
- Not managing complaints from residents in accordance with the complaints policy
- Failure to progress a complaint through the complaints procedure
- Failure to respond to a complaint within the set timescales without good reason
- Failure to keep the resident informed and updated
- Failure to notify the resident of the right to refer the complaint to the Housing Ombudsman Service
- Failure to provide evidence to support investigation by the Housing Ombudsman Service.

Where a complaint is still within a landlord's complaints procedure, or the Housing Ombudsman Service has requested evidence for investigation, the landlord will be informed of any complaint handling failure. Details of the failure will be provided along with any action required to rectify it. Where this action is not taken the Housing Ombudsman Service will issue a complaint handling failure order.

## Designated persons

Designated persons were introduced under the Localism Act 2011 to improve the chances of complaints about housing being resolved locally.

Designated persons can have no direct impact on a landlord's internal complaints procedure. However, they can help to resolve a complaint after a landlord's internal complaints procedure is finished.

Whilst the Housing Ombudsman Service is not able to consider cases until eight weeks after a landlord's final response is given, a designated person can help right away. They can help resolve the complaint in one of two ways:

- by trying to resolve the complaint themselves or
- by referring the complaint straight to the Housing Ombudsman Service (without waiting for eight weeks).

The law says that when the designated person refers a complaint to the Housing Ombudsman Service, it must be done in writing. The Housing Ombudsman Service has provided a template referral letter here.

Note - This provision remains as removing the 'democratic filter' requires primary legislation. Once this legislation is passed, the 'designated persons' requirement will be removed from the code.

### Who can be a designated person?

A 'designated person' can be your MP, local councillor, or a tenant panel. There is no requirement for landlords to have a tenant panel, but they are expected to support their formation and activities if residents want them.

## When a formal complaint may not be considered

There are some circumstances when a landlord does not have to accept a complaint:

- When the issue occurred over six months ago – although complaints older than this should still be considered
  - Recording and addressing these may help to identify and resolve wider, systemic problems
  - The Housing Ombudsman Service warns that you may not be able to rely on this in cases of not addressing complaints about safeguarding or health and safety issues
- Where legal proceedings have started
- Where the matter has already been considered under the complaints policy.

Some landlords' policies exclude some issues from their complaints procedures, for example first-time service requests, issues that are in court or tribunal, an attempt to reopen a previously closed complaint. However, landlords should take as wide a range as possible through their formal process. Not doing so could result in a finding of 'maladministration' or 'service failure' from the Housing Ombudsman Service.

If an issue is excluded, the landlord should provide a detailed explanation, in writing, to the complainant. It should also advise residents of their right to approach the Housing Ombudsman Service to review the decision. The Housing Ombudsman Service can issue an instruction to accept the complaint.

## Putting things right

An organisation with a positive complaint handling culture encourages and welcomes feedback and complaints, wants to put things right and learn lessons where things have gone wrong.

Where something has gone wrong you should acknowledge this and set out the actions already taken, or that you intend to take, to put things right. Examples of circumstances where action may be required to put things right include:

- There was an unreasonable delay in service provision
- Inaccurate or inadequate advice, explanation or information was provided to the resident
- The landlord's policy or procedure was not followed correctly without good reason

- There was a factual or legal error that impacted on the outcome for the resident
- There was unprofessional behaviour by staff.

Landlords should acknowledge and apologise for any failure identified, give an explanation and, where possible, inform the resident of the changes made or actions taken to prevent the issue from happening again.

When considering what action will put things right, landlords should carefully manage the expectations of residents. Landlords should not promise anything that cannot be delivered or would cause unfairness to other residents.

### Appropriate remedy

Complaints can be resolved in several ways and any remedy offered should reflect the extent of any and all service failures, and the level of detriment caused to the resident, including:

- Acknowledging where things have gone wrong
- Providing an explanation, assistance, or reasons
- Apologising
- Taking action if there has been a delay
- Reconsidering or changing a decision
- Amending a record
- Providing a financial remedy
- Changing policies, procedures, or practices.

Factors to consider in formulating a remedy can include, but are not limited to, the:

- Length of time that a situation has been ongoing
- Frequency with which something has occurred
- Severity of any service failure or omission
- Number of different failures
- Cumulative impact on the resident(s)
- A resident's particular circumstances or needs.

When offering a remedy, landlords should clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.

In awarding financial compensation, landlords shall consider whether any statutory payments are due, if any quantifiable losses have been incurred as well as the time and trouble a resident has been put to as well as any distress and inconvenience caused.

### Top tips – taking action

- Once you have identified the causes of complaints, you need to translate these into clearly defined actions for improvement. It's a good idea to involve tenants in these discussions, as they may have valuable insights on how best to do this
- Make sure that someone is responsible and accountable for progressing any actions that you have agreed. Put mechanisms in place to monitor and report on their progress
- Use these actions as a key measure of whether your complaints process is working or not. Many organisations monitor the total number of complaints received about each service and strive to get this number down as low as possible, but there is a danger that this could lead to 'gatekeeping' and discourage staff from recording complaints in the first place. Instead focus on measuring and reporting the number of improvements that you've made to your service as a result of complaints
- Celebrate your successes. Make sure you publicise the improvements that you have made. This will reassure others that you take complaints seriously and that they can lead to real change.

### Legal Liability

In some cases, a resident may have a legal entitlement to redress. There may be concerns about legal liability in this situation. If so, the landlord should still offer a resolution where possible, as that may remove the need for the resident to pursue a legal remedy.

Landlords have a duty to rectify problems for which they are responsible. A resolution can be offered with an explicit statement that there is no admission of liability. In such a case, legal advice as to how any offer of resolution should be worded should be obtained. For further information on remedies, see <https://www.housing-ombudsman.org.uk/about-us/corporate-information/policies/dispute-resolution/policy-on-remedies/>

## Continuous learning and improvement

Every complaint is an opportunity to learn and improve your service and your customers' experience.

Accountability and transparency should be embedded in a positive complaint handling culture, with landlords providing feedback to residents on failures in complaint handling and the actions taken to learn and improve from this. Creating and embedding a culture that values complaints and gives them the appropriate level of priority requires strong leadership and management.

Organisations who have a strong commitment to capturing and learning from complaints often report that they both receive and uphold higher numbers than many other social landlords. As an organisation you need to be comfortable with this and to see complaints as a valuable form of feedback, rather than as an indication of failure. If this requires a significant change in the way people across your organisation think about complaints, it may take you some time to achieve it.

A good culture should also recognise the importance of resident involvement. This might include forming or involving existing resident panels, involving residents in developing complaints policies and procedures and by including them in panel hearings as part of the dispute resolution process, where appropriate.

Landlords should 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.

An effective complaints process enables a landlord to learn from the issues that arise for residents and to take steps to improve the services it provides and its internal processes. Landlords should have a system in place to look at the complaints received, their outcome and proposed changes as part of its reporting and planning process:

- Any themes or trends should be assessed by senior management to identify any systemic issues, serious risks or areas for improvement for appropriate action
- Proactively use learning from complaints to revise policies and procedures, to train staff and contractors and to improve communication and record keeping
- Recognise the impact that being complained about can have on staff members and future service delivery – you should offer your staff support and training in resolving complaints

- Make sure staff are supported and engaged in the complaints process including the learning that can be gained
- Report back on wider learning and improvements from complaints to residents, managers, and staff. Regularly provide feedback to scrutiny panels, committees and boards and discuss it, alongside scrutiny of the Housing Ombudsman Service's annual landlord performance report
- Include learning and improvement from complaints in the annual report to tenants and residents.

### Top tips - Using complaints to identify common problems

- Consider requiring staff that respond to complaints to record 'learning points' for each one on your IT system. Periodically review the learning points to identify common problems
- Think about conducting periodic analyses of all of the complaints you receive to identify trends and recurring issues. Make sure you include both complaints that have been upheld and those that have not, as even a large number of 'rejected' complaints can tell you something important about your services
- Routinely analyse data on complaints alongside other information about your service, such as the results of satisfaction surveys, mystery shopping and other performance indicators (average turn-around time etc). Taken together, these will give you a complete picture of the way your service is performing
- Remember that your analysis will only be as good as the data that you collect. Make sure that frontline staff are aware of the need to log all expressions of dissatisfaction and that they routinely record 'informal complaints'.

### Phoenix Community Housing - Scrutiny Panel review

Phoenix Community Housing's scrutiny panel reviewed their complaints policy and processes. The key outcomes from the review included:

- Making it easier for residents to make a complaint via the website
- Delivering a complaints roadshow to colleagues across the organisation to embed the revised policy and procedures and highlight the importance of using complaints to improve services
- Developing guidance for residents to explain the inspection process associated with repairs and what will happen post inspection
- Ensuring that learning outcomes are captured and reported
- Increasing and improving resident profile information to enable the organisation to monitor accessibility to the service
- Combining the Tenant Panel with the Resident Scrutiny Panel
- Being clearer in the way that performance data around complaints is presented.

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## Appendix 1 - Responding to complaints

All complaints should be responded to in writing unless otherwise agreed with the tenant, and with regard to the requirements of the Equality Act 2010. This checklist is not exhaustive but highlights some of the issues you should consider when responding to a complaint:

- **Language and tone** - be open, use plain English, avoid jargon and show empathy
- **Labelling** - clearly label each response e.g. stage 1, stage 2 or 'final response'
- **Responding to the original complaint** - respond to all elements of the original complaint plus any later points you have agreed to include. In the case of appeals, you should set out why the resident was dissatisfied with the original response
- **Findings and conclusions** - set out your findings and conclusions on each issue using the evidence collected to support your conclusions
- **Policy and law** - refer to any relevant policy, procedure, legislation, or good practice when explaining your decisions
- **Apology and explanation** - acknowledge and apologise for any mistake or service failure and provide an explanation of what went wrong
- **Outcome** - consider the outcome the complainant is looking for, and how you might be able to provide this or go some way to doing some
- **Timescales and actions** - give details and timescales for any actions you plan to take, for example inspections or repairs
- **Redress** - Give details of any redress offered, for example compensation, discretionary repairs or decoration, or other actions
- **Learning** - explain what you have learned from the complaint and what changes, or improvements will be made as a result
- **Signposting** - signpost the complainant to other sources or advice or support, such as Citizens Advice, the Leasehold Advisory Service, Shelter, Age UK, Local Government and Social Care Ombudsman
- **Escalation** - provide details of how the complainant can take the complaint to the Housing Ombudsman Service, including the 'Designated Persons' procedure.



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