

## Making a complaint or giving a compliment about our Council Housing Service

### 1. Policy Statement

Sunderland City Council is committed to providing high quality modern services to our customers while making sure the customer is at the heart of everything we do.

The council will deal with each case individually and customers will be dealt with respect and empathy.

1.2. We recognise that in some cases, we may not always meet our customers' expectations and we need to ensure that there is an accessible, easy to follow and robust complaint and compensation policy in place to resolve matters as effectively as possible.

1.3. Our aim is to resolve issues and put things right at the first attempt; however, we recognise that in some cases we will need to investigate the situation further.

1.4. We define a complaint as: 'Any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own employees, or those acting on its behalf, affecting an individual resident or groups of residents'.

1.5. Complaints are extremely important to us. They help us to understand our performance and to focus on new ways of improving the services we deliver. We treat each complaint as an opportunity for learning and as such we will also ensure that any learning outcomes are captured and where appropriate, implemented.

### 2. Policy Aims

2.1 This policy recognises that a successful complaints service considers doing the right thing and embracing a learning culture.

2.2. The policy is designed to meet the following aims:

- Provide our customers with an easily accessible, clear and efficient complaints process
- Provide clarity and achieve consistency in how we deal with complaints
- Capture and implement any learning points identified from a complaint
- To comply with current regulatory obligations for complaints
- To provide a framework to offer compensation
- To create a framework for recording compliments on a job well done

### 3. Scope

3.1 This policy relates to all parts of the organisation including services that may not actually deal directly with customers or third parties. The policy also applies to other organisations that provide services to our customers under contract or in partnership with us.

3.2. The policy will not apply where there is an appeal or grievance, or where legal proceedings are underway. The existing and relevant procedure, contract or agreement should be followed.

## 4. Roles and Responsibilities

4.1. All employees are responsible for recognising and attempting to resolve an initial complaint at the first point of contact. Everyone is encouraged to be honest and recognise where we may have made a mistake and focus on putting things right.

4.2 Sunderland City Council's complaints team will deal with all complaints ensuring a co-ordinated and consistent approach. The Team will work with the service area to understand how something has gone wrong and to find the best method of rectifying it. In addition, learning points captured during the complaints process will be cascaded across the business.

## 5. Complaints Process

We do appreciate that at times things can go wrong and we would like to help to put it right. Our complaints process is accessible and easy to use.

5.1 Customers can ask for a representative to deal with a complaint on their behalf as long as they provide us with permission to discuss the complaint with this person.

5.2 The stages of our complaints process are designed to achieve a resolution for the customer as promptly and efficiently as possible. We will not usually investigate a complaint that has not been reported to us within six months of the issue occurring.

5.3 All formal complaints will be formally responded to in writing (by email or letter if the customer does not have internet access) however, other means of communication can be used in addition as required by the situation and the needs of the customer.

5.4 We will investigate all complaints impartially, making sure that we consider evidence from all parties involved and provide the opportunity for anyone involved to provide their account of the situation.

5.5 We will keep a full record of the complaint, any review and the outcomes at each stage. This will include the original complaint and the date received; all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.

When you raise a complaint with us your journey will follow the process below.

**Own it, sort it** – We aim to resolve complaints first time as quickly as possible; this could be things such as a missed appointment which would be a service request. If things don't go right you have the option of opening a formal complaint.

**Stage one complaint** – These issues require an investigation and a written response. We will acknowledge your complaint within 2 working days and investigate your complaint and give you a written response within 10 working days. If we feel this may take longer we will inform you and let you know why. This part of the process will be carried out by a Housing Operations Manager.

**Stage two complaint** – If you are unhappy with your complaint investigation you can request a review, you will need to let us know the reason why you are seeking a review. We will acknowledge your request within 2 working days and give you a written response within 20 working days, if we feel this may take longer we will inform you and let you know why. This part of the process will be carried out by the corporate complaints team.

**Housing Ombudsman** – Customers can contact the Housing Ombudsman at any time for advice, if you wish for the Housing Ombudsman service to review your complaint the internal complaints procedure will have to be exhausted first.

You can contact the Housing Ombudsman Service by.

- **Online form:** Housing Ombudsman [Make a complaint - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk)
- **Phone:** 0300 111 3000
- **Email:** [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)
- **In writing:** Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

## 6. Reasonable Adjustments

We are committed to ensuring that people are not disadvantaged in accessing our services and their ability to make a complaint.

6.1 There is no prescribed list of reasonable adjustments as this will depend on the needs of the individual customer. We will talk to the individual customer to understand any requests and seek to reach agreement on what may be reasonable in the circumstances.

We will not make assumptions about whether a disabled person requires any reasonable adjustments or about what those adjustments should be.

6.2 Some examples of the adjustments that we can make include:

- Providing information in appropriate alternative formats (for example large print, Braille, coloured paper and so on)
- Use of email or telephone in preference to hard copy letters extension of time limits (where it is lawful to do so)

## 7. Compensation

7.1 We recognise that in some situations, an apology and a resolution may not always compensate for a situation or the impact of a lack of service a customer has received.

7.2 For this policy, we define compensation as: 'To make amends for the loss, injury, service failure, breach of contract, inconvenience or offence. Compensation does not have to be of a financial nature, it can also be made by way of a gesture of goodwill or replacement'

7.3 We appreciate that at times things go wrong and we will always look at various remedies to try and resolve a complaint. We are committed to doing the right thing for our customers and these remedies may include a small gesture of goodwill.

7.4 Our compensation calculations are based on what we consider to be fair on each case. We do not set limits regarding minimum and maximum amounts, instead we apply discretion and judge each case on its own merits. We will, however, take into consideration regulatory and Housing Ombudsman guidance and case studies of similar awards. [Guidance on remedies \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk)

7.5 We will specifically consider the following to help us determine if any compensation or remedy is appropriate:

- What has gone wrong?
- Can it be put right - what actions could be taken to remedy the situation?
- What would the complainant like to happen?
- How has the customer been adversely affected?
- Is there an actual quantifiable financial loss – for example, has the complainant incurred costs as a result of what happened (although we will not offer compensation for loss of earnings)
- What other impact has there been (for example distress caused)?
- Did the customer's actions or inactions, or those of a third party (for example a complainant's advocate), contribute to what happened in the case?

7.6 We will work closely with the Council's insurance team where in addition to a complaint, there have been any claims for personal injury or damage to belongings. This may include holding the investigation until any liability is assessed.

7.7 Any offer of compensation will be live for 28 days from the date of offer.

7.8 We will pay compensation by two methods, via bacs transfer to an account of the customer's choice or if they hold a rent account with us an adjustment can be made to their account.

7.9 There are some instances where we may be required to make payments due to legal requirements. These can be for issues outside of the complaints process, although sometimes we will consider statutory payments alongside a co-ordinated investigation and response into a complaint.

## **8. Complaints relating to consumer credit advice**

8.1 If a complaint relates to consumer credit activities, we are bound and regulated by the Financial Conduct Authority. As at the date of this policy those activities are limited to debt counselling and debt adjusting.

8.2 If the customer is not satisfied with our response, the next stage is to report the matter to the Financial Ombudsman service. This needs to be within six months of the date we formally

responded to the complaint, or you can contact them if we have not provided you with a written response to your complaint within eight weeks.

8.3 We will provide you with the Financial Ombudsman's guidance leaflet to assist you with this process.

8.4 Further information and guidance can be found by contacting the Financial Ombudsman at:

The Financial Ombudsman Service, Exchange Tower, London, E14 9SR or.

0800 023 4 567

[complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)

[www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk)

## 9. Compliments

9.1 Compliments are a positive measure of customer satisfaction with our staff and services. We welcome feedback and compliments from our customers, and we use this information to help shape the services we deliver.

The easiest and quickest way is to get in touch with us directly and let us know the details of your complaint or compliment.

## 10. Unreasonably persistent complainants

10.1 Persistent and Unreasonable Complaints We are committed to dealing with all complaints fairly and impartially and to provide a high quality service to those who make them. However, there are occasions when contact from a complainant becomes too frequent or complex, so that it hinders our consideration of their complaints, or those made by other people.

10.2 The Council does not expect its staff to tolerate behaviour by complainants which is unacceptable, abusive, offensive or threatening, and will take action to protect staff from such behaviour.

10.3 The term 'persistent and unreasonable complainant' broadly applies to those customers who are aggressive or have demonstrated abusive behaviour as well as those who make unreasonable demands or become unreasonably persistent. In such cases we may take action to limit the contact the complainant has with us.

Customers to whom this policy may apply include those who:

- Refuse to accept the remit of the process to be undertaken as described to them.
- Request action that is not compatible with the process or make unreasonable demands.
- Introduce unrelated additional information and expect it to be taken into account.
- Make excessive contact with staff.
- Submit complaints about the same issues that have been previously dealt with.

- Engage with staff in a manner which is deemed unacceptable or inappropriate
- Refuse to adhere to previously agreed communication plans.
- Behave in a threatening or abusive manner, having been previously advised it is not acceptable. In all cases, the Council will write to tell the complainant.
- Why it believes the behaviour is unacceptable.
- What action the Council will be taking.
- The duration of that action, how, and when it will be reviewed.
- How to challenge the decision if they disagree with it.

However, in cases of extreme behaviour, which threatens the immediate safety and welfare of staff, the Council will consider other options, for example reporting the matter to the police or taking legal action. In such cases, the complainant may not get prior warning of the action.

## **11. Engagement and staff support**

11.1 We recognise the impact that being complained about can have on individual employees. We will make sure that we support and engage any employees affected during the complaints process including helping to draw any learning for future situations.

## **12. Learning from complaints**

12.1 We will review all complaints to see if there is any learning we can take to prevent repeat mistakes. We will also look at trends in our complaints over time to identify any trends or areas for us to improve.

12.2 We will report outcomes from learning internally and to customers through our customer newsletter.

## **13. Legislation and guidance**

13.1 The Regulator of Social Housing (RSH) has responsibility for the regulation of social housing providers in England. The RSH has set out a regulatory framework which includes regulatory standards providers must meet.

13.2 This includes the Tenant Involvement and Empowerment Standard, which outlines expectations for complaints handling.

13.3 The Localism Act 2011 created a single housing watchdog, the Housing Ombudsman. Tenants and leaseholders have the right to contact the Housing Ombudsman at any time for advice and support to resolve a complaint about their landlord.

13.4 The key areas of legislation in this policy are:

- Data Protection Act 2018
- Equality Act 2010

- UK General Data Protection Regulations 2021
  - Housing Act 2004
  - Landlord and Tenant Act 1985
  - Localism Act 2011
  - Housing Ombudsman Complaints Handling Code 2022
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- **Email:** [sunderlandhousing@ Sunderland.gov.uk](mailto:sunderlandhousing@ Sunderland.gov.uk)
  - **Telephone:** 0191 561 2715
  - **Write to us at:** Sunderland City Council, Housing Management Service City Hall, Plater Way, Sunderland, SR1 3AA
  - **Other:** Via a local Councillor or Member of Parliament
  - **Social Media:** Twitter: @SunderlandUK **Facebook:** Sunderland UK Official