



Ashfield

DISTRICT COUNCIL

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Housing Services Complaints - a guide for tenants



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Introduction

Ashfield District Council's Housing Department is committed to providing excellent housing services and aims to give the best customer service possible.

If we have failed to provide a service or a customer is dissatisfied with the way in which a service has been provided by the Housing Department (or by contractors providing a service on behalf of the Council), we want to know about it.

In most cases we hope and will strive to resolve these with the member of staff you have been dealing with in a quick and efficient manner. We will also use your feedback to help us make improvements. Where this is not possible, we have a formal complaints process to fully consider your complaint.

We will look into the issue, provide an explanation and an apology (where it is appropriate to do so) with a view to improving our services. We will aim to resolve the issue as quickly as possible.

This guide explains:

- What we mean by a complaint
- Who can make a complaint
- How you can make a complaint
- How we will deal with your complaint
- What you can do if you are unhappy with our response
- How we use your feedback to improve our services

What is a Complaint?

The Housing Ombudsman Service, which oversees housing complaints, define a complaint as:

“ An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Housing Department, its own staff or those acting on its behalf, affecting an individual resident or group of residents ”

You can complain about things like:

- Delays in responding to your enquiries and requests
- Failure to provide a service
- Standards of our services
- Our failure to follow proper procedure
- Unreasonable behaviour by an Officer

What can't I complain about?

We will not treat certain issues as complaints and where this is the case, we will tell you by setting out the reasons why the matter is not suitable for the complaints process.

Some failures of service will be dealt with outside of the complaints process and will be considered a service request.

Here are some things we can't deal with through our complaints procedure:-

- If you ask us for a service – such as reporting a repair or anti-social behaviour.
- Matters that have already been considered under the complaints policy.
- Where legal proceedings have been started or where decisions have been made, or actions taken that have followed due process, are legal but that you disagree with.
- Where either the Council's, yours or a third party's insurer is determining liability.
- Any issue which is agreed Council Policy, and the policy has been followed.
- The issue giving rise to the complaint occurred over six months ago, except where there are health and safety issues or safeguarding concerns.
- Complaints about Elected Member's conduct. These are handled through a separate process.
- Freedom of Information requests (FOI) and Data Protection Requests. These are handled through a separate process.
- Issues you have asked the local MP or Councillor to investigate which are to be determined or responded to.

Who can complain?

Any tenant or leaseholder who feels that they have had a poor service from us or from someone providing the service for us and has tried to get the problem solved by speaking to someone in the relevant department.

We understand that you may be unable or reluctant to make a complaint yourself. Therefore, we can take complaints from a friend, relative, or an advocate, on your behalf. If you ask someone to make a complaint on your behalf, we will ask you to give formal consent for them to discuss your personal information or send any documents containing personal information to you directly, for you to share with your advocate, should you wish to.

If you are not a tenant or leaseholder of the Council you cannot use the Housing complaints procedure to complain about someone who is a tenant or leaseholder.

Anonymous complaints

If you complain to us but don't wish to give us your name, we will not be able to deal with your complaint under the complaints procedure. However, we will ensure steps are taken to deal with the issue. We cannot however, provide feedback if we do not have any contact details.

How do I complain?

You can make a complaint by:

- Completing our online form on our website: www.ashfield.gov.uk/your-council/contact-us/complaints-and-compliments/comments-and-complaints-form
- Email us at: housingcomplaints@ashfield.gov.uk
- Telephone by calling: 01623 450000 option 1
- Writing to, or visiting, us at: Ashfield District Council, Housing and Asset Directorate, Council Offices, Urban Road, Kirkby-in-Ashfield, Notts, NG17 8DA
- Or via social media:



facebook.com/ADCAshfield



[@ADCAshfield](https://twitter.com/ADCAshfield)

If you do feel that it is necessary to make a complaint about our housing service it is extremely helpful if you can explain what you are concerned about and how you would like it resolved; as this may mean we can rectify the issue for you in a much quicker timescale and to your satisfaction.

Help with making your complaint

Some complainants may require help in preparing their complaint and the Council may be able to help you to do this, where appropriate to do so.

Please see www.ashfield.gov.uk or contact us on 01623 450000 for more information.

Equality Statement: Ashfield District Council is committed to equality of opportunity in service delivery. We will not treat you any differently because of your gender, race, disability, religion or belief, sexuality or age.

We are committed to making reasonable adjustments to accommodate a person's needs in in line with the [Council's Reasonable Adjustments Scheme](#) and in accordance with the Equality Act 2010.

What happens when I have complained?

We will always tell you who is dealing with your complaint.

If the complaint is not clear when received, the complainant will be contacted so further details can be obtained.

There are two stages:

Stage One Complaint – Formal response from the Head of Service or Service Manager

We will:

- Acknowledge your complaint within five working days.
- We will endeavour to speak to the complainant in order to get a full understanding of the complaint and how it can be rectified.
- Give you a full response to your complaint within 10 working days. Where this is not possible, we will contact you explaining reasons for the delay and give a date when you can expect a full response.
- The response will include the contact details of the Head of Service/Service Manager with an offer to clarify any points made within the reply and the offer of a discussion. The response will conclude by offering stage two of the Complaints procedure for those complainants that remain dissatisfied with the reply they received under stage one of the process.

Stage Two Complaint – Review and response by the Director of Housing and Assets (Deputy CEO)

If you remain dissatisfied after a stage one response, you can escalate the complaint to stage two for an internal review. You will need to explain the reasons why you are dissatisfied. When escalating to stage two it is helpful to outline why you are dissatisfied with the solution or response provided at stage one, as this will allow the Director to look at alternative solutions you would like to see, alongside reviewing the original complaint or issue.

We will:

- Acknowledge your complaint within five working days.
- Give you a full response within 20 working days. Where this is not possible, we will contact you explaining reasons for the delay and give a date when you can expect a full response.
- This is the final stage of our procedure and the complaint will be closed.
- If you remain dissatisfied after a stage two response, you can submit a complaint to the Housing Ombudsman Service, details of which will be included in the stage two response.



Housing Ombudsman Service

If you are not satisfied with how we have handled your complaint then you may wish to complain directly to the Housing Ombudsman Service. The Housing Ombudsman Service can be contacted at any stage of the complaint process for advice and information.

The Housing Ombudsman Service is independent of all government bodies and can look into your complaint. They will usually only consider a complaint after it has been through our complaints procedure as they expect you to bring your concerns to our attention first and give us a chance to put things right.

The Housing Ombudsman Service:

Tel: 0300 111 3000

Email: info@housingombudsman.org.uk

Postal address: Housing Ombudsman, PO Box 152, Liverpool, L33 7WQ.

More information can be found on their website at www.housing-ombudsman.org.uk

Dealing with Persistent Unreasonable Complainants

The Council has an Unreasonable Complaints Policy which sets out its approach, which can be accessed at www.ashfield.gov.uk/your-council/contact-us/complaints-and-compliments/unreasonable-or-unreasonably-persistent-complaints-policy/ or a copy can be provided upon request.

Putting things right

We are committed to using the complaints process as a learning experience and, where appropriate, will put things right. This can be done in a variety of ways including an apology, an explanation, preventative action, payments for loss or damage, or in exceptional circumstances compensation. Where appropriate, we will seek to make amendments to policies/procedures or to the way a service is provided and will do so in a timely manner.

If something has gone wrong through this process, we will acknowledge this and set out the actions that we have already taken or intend to take to put things right.

Any remedy offered will reflect the extent of any and all service failures, and the level of detriment caused to the resident as a result (see the Council's Compensation Policy).

Our complaint handling officers have the discretion to:-

- Decide how to respond to a complaint
- Decide on the remedy to resolve the complaint
- Decide if the complaint is unreasonable or falls outside the policy

Data Protection

Any information you give us is covered by the Data Protection guidelines (Data Protection Act 2018 and General Data Protection Regulations). This means that we will:

- Keep personal information and secure.
- Keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.
- Not share it with other organisations without your permission, unless the law says we must.

We will keep effective records of all complaint investigations and outcome to inform service improvements.

Monitoring Feedback/Satisfaction

We are committed to improving service delivery through the complaints reporting and feedback process. If you make a complaint you will be encouraged to provide feedback by completing a satisfaction survey on how your complaint was handled and your satisfaction with the outcome. These learning outcomes will be used to help us to improve services.

In addition the Housing Department's complaints performance feedback is reported to various management and tenant groups on a quarterly basis and also to Councillors and in a report to tenants on an annual basis.

Housing Contact

The Consumer Standards Lead Officer is responsible for co-ordinating the recording of complaints, ensuring compliance with the timescales and stages within the policy.

Service Managers co-ordinate the investigation and resolution of complaints with their teams before sharing the information with the Consumer Standards Lead Officer.

The Consumer Standards Lead Officer can be contacted as follows:-

Ashfield District Council
Housing and Asset Directorate, Council Offices
Urban Road
Kirkby in Ashfield
Notts
NG17 8DA

Tel: 01623 450000 option 1, then option 3
Email: housingcomplaints@ashfield.gov.uk



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