

London Borough of Tower Hamlets

Housing Complaints Policy and Procedure (For Council Tenants & Leaseholders)

2024 - 2026



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1. Introduction

This policy sets out how London Borough of Tower Hamlets (LBTH) will manage and resolve complaints related to how it delivers housing management services.

2. Purpose and aim

The purpose of this policy is to set out our approach to handling complaints from council tenants and leaseholders and resolving disputes on housing management issues.

The Council is committed to providing excellent levels of customer care and aims to deliver a positive customer experience. When things go wrong, we aim to provide an early resolution to prevent a complaint and respond speedily to put the issue right.

This policy aims to provide customers, stakeholders, and staff with clear guidance to ensure that the administration and management of complaints is fair and consistent.

As part of our complaints handling procedure, we will:

- Apologise
- Accept responsibility
- Put things right when they are in our control
- Use feedback from complaints to improve services

3. What is a complaint?

The Council uses the definition of a complaint as provided by the Housing Ombudsman (HO). For the purposes of this policy a complaint shall be defined as:

‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council, its own staff, or those acting on its behalf, affecting a resident or group of residents’.

We also monitor all feedback from surveys about our services and escalate any expressions of dissatisfaction where appropriate. Our survey staff are trained on escalation routes and provide residents with details on how they can pursue a complaint if they wish to.

4. Who can make a complaint?

Anyone that is a tenant or a leaseholder (or household member) of the Council can make a complaint about the services they receive through the Council's Housing Management Services. This includes services we may deliver directly or those delivered through partners working for us (e.g. repairs partner or major works contractor).

4.1 Complaints through an advocate

When receiving a complaint from someone acting on behalf of a service user, we will contact the service user to check that they are happy to be represented. There must be signed consent on file if the service user wants the Council to liaise directly with the support person or advocate. The service user will then be given the opportunity to have their representative deal with their complaint, and to be represented or accompanied at any meeting with the Council.

Where we are contacted by an elected member, such as a MP or Councillor, we will liaise with the service user regarding their complaint and include the MP or Councillor in our formal responses. However, should the response contain confidential information, it cannot be assumed that permission of the complainant has been given to release this information to members. Sensitive information must be redacted from the response, or a separate response be provided to an elected member.

Where a complaint is received through a legal representative, we will check to see whether this can be handled as a complaint. Where appropriate, we may seek legal advice. Regardless of whether legal proceedings are involved, we will endeavour to actively engage with this type of advocate in the interest of the resident.

This could affect the stated timelines for providing a response. If additional time is required, the service user will be formally notified.

5. Matters that cannot be dealt with under this policy

The Council will consider the individual circumstances of the complaint but may refuse to accept a complaint based on the exclusions outlined below. If the Council decides not to accept a complaint, we will provide a detailed explanation to the service user setting out the reasons why the matter is not suitable for the complaints process. Complainants have the right to challenge this decision by bringing their complaint to the Housing Ombudsman.

Exclusion	Description
Legal action and Disrepair	<p>Where legal proceedings have been initiated by a resident through a Claim Form and Particulars of Claim, having been filed at court. These matters will be dealt with by the Council's legal department.</p> <p>Where the Council is taking legal action, the complainant will need to use the legal process to oppose the claim.</p>
Rent increases	<p>Our rents are set in line with the Government's Rent Standard. If you are dissatisfied with your rent charge or increase, we will escalate it to the relevant team to respond to your enquiry.</p>

Service charge disputes	These are managed through our Leasehold Arrears Recovery Procedure
Building Safety	Complaints about building safety risks i.e structural failure and spread of fire or the performance of the Accountable Person as defined by the Building Safety Act 2023 will be managed outside of this process and in accordance our Building Safety Complaints Policy. More information can be found on Building Safety concerns and complaints (towerhamlets.gov.uk)
A service request	<p>Service requests are requests from a resident to the landlord requiring action to be taken to put things right. This is different to a complaint and any service requests made in the form of a complaint, such as reporting a repair or anti-social behaviour will not be treated as a complaint. These will be recorded as a query, monitored, and reviewed regularly.</p> <p>If during the course of your service request you remain dissatisfied, we will treat your concern as a complaint.</p>
The cause of the complaint is more than 12 months old	Where a cause of a complaint is more than 12 months old and is only reported now, this will not be considered unless, in the opinion of Council, there is good reason to do so. Where a resident has only become aware of the issue, a complaint will only be accepted within 12 months of when they became aware.
Failure to provide a service that has been remedied through application of the Compensation Policy	Issues such as communal central heating breakdown, where the Council has paid out compensation for loss of service and it has been accepted as a settlement, will not be dealt with as a complaint.
Rent increases	Our rents are set in line with the Government's Rent Standard. If you are dissatisfied with your rent charge or increase, we will escalate it to the relevant team to respond to your enquiry.
Complaints about other residents	We have a separate policy for dealing with anti-social behaviour (ASB). We'll consider complaints about the handling of your ASB case under our complaints process.
Insurance claims	Matters related to claims on building or public liability insurance are dealt with by the Council's Insurance Team. Queries should be directed to the Council's Insurance Team.

Unreasonably Persistent Complainants and Unreasonable Customer Behaviour	We will agree on one point of contact to deal with concerns in a consistent manner. Before deciding to apply any restrictions, we will ensure that the complaint or request for information has been dealt with properly and in line with the relevant procedures and statutory guidelines and that we have tried to resolve the complaint through our complaints process
Matters which have already been dealt with	We will not re-visit or log new complaints on issues which have been previously dealt with through the complaints, appeals or dispute procedures or where a court, tribunal or Ombudsman has already considered the matter.

6. How to complain

The Council recognises the importance of offering a range of ways for service users to make a complaint. Complaints can be raised by using the following channels:

Website: www.towerhamletshomes.org.uk

Telephone: 0207 364 5015

Post: Tower Hamlets Council
PO Box 66355
London E14 1GU

Complainants also have the option of dropping off their complaints to the Residents Hub at the Town Hall, 160 Whitechapel Road, London E1 1BJ.

Complainants may also choose to reach out on social media via X (formerly Twitter) (@TowerHamletsNow) or Facebook (@towerhamletscouncil). Whilst we may acknowledge complaints made on social media, these platforms are not intended to serve as customer service channels. For the purposes of privacy and data protection, we will directly message a user and redirect them to one of our established contact methods to discuss their complaint and agree a resolution.

Individuals have the freedom to raise their complaint, or expression of dissatisfaction which may result in a complaint, in any way and with any member of staff. The details of the complaint will then be passed onto the relevant person within the organisation.

6.1 How we will publicise the Complaints Process

We will ensure that we have a dedicated, easy to reach section on our website with information on our complaints process. This will include making available a copy of our complaints policy and procedure, the self-assessment against the Housing Ombudsman's Complaints Handling Code and our annual complaints performance and service improvement report.

We will also ensure that we provide a simplified guide for residents outlining the complaints process and produce information videos that can be also used across social media platforms.

We will ensure that information on the complaints process is included in our annual report to residents and is included in any other relevant resident publication.

7. The Housing Ombudsman and your complaint

The Housing Ombudsman is an independent, impartial, and free service for social housing residents. The Housing Ombudsman looks at complaints about housing organisations that are registered with them. The outcome of the investigations includes remedies, orders, and recommendations.

Complainants may utilise the Housing Ombudsman services if:

- (1) Their complaint has gone through both stages 1 and 2 and they are still unhappy with how the matter was dealt with/it is still unresolved
- (2) If they expressed dissatisfaction and this was not accepted as a complaint by the organisation, nor were they provided with reasoning as to why this was the case

The Ombudsman can be contacted through the following channels

Website: housing-ombudsman.org.uk

Telephone: 0300 111 3000

Post: PO Box 152

Liverpool L33 7WQ

Under the Social Housing (Regulation) Act 2023, the Housing Ombudsman's Complaint Handling Code became statutory on 1 April 2024. The purpose of the Housing Ombudsman's code is to enable us to create a positive complaints culture and support early complaint resolution.

Our complaints policy and procedure is available on our website with links to other relevant documents, including a copy of our self-assessment against the revised Housing Ombudsman's code.

8. Timescales

Acknowledgements	We aim to acknowledge receipt of a formal complaint within 2 working days of receipt and no later than 5 working days.
Stage 1 Complaints	We aim to respond to Stage 1 complaints within 10 working days. In more complex cases, we may extend the timescales by a further 10 working days with agreement from the complainant. Reason(s) for the extension will be clearly explained to the resident. We will also signpost the resident to the Housing Ombudsman Service if they wish to seek an independent review.
Stage 2 Complaints	Stage 2 complaints will be acknowledged, defined, and logged within 5 working days of the escalation request being received. These will generally be responded to within 20 working days. In more complex cases, we may extend the timeline by a further 20 working days. We will also provide the resident with contact details for the Housing Ombudsman Service if they wish to seek an independent review.

9. Complaint Stages

9.1 Stage 1 - Complaints Investigation

- A Housing Service Advisor records the complaint on our complaints management system. Each complaint is given a unique reference number. Once the case is assessed, an acknowledgement letter is sent, and the case is assigned to the service area responsible for providing the service.
- When a complaint is received which requires a response from more than once service, the service responsible for the main aspect of the complaint will lead the investigation and obtain responses from any additional service to include in the final response.
- A Senior Officer or Team Leader within the responsible service will review the case and allocate a named case handler. Where a complaint is about an individual member of staff, the complaint will be allocated to their manager to investigate.
- The case handler must phone the complainant within 2 working days to set out their understanding of the issues, seek any further clarification, and explore the possibility of agreeing a plan of action to resolve the problem.

- For complaints about our repairs service, we may rely on our contractors to carry out initial investigations, make contact with the complainant and aid in drafting the response. Contractors will be required to ensure they adhere to the principles outlined in this policy. All responses will be reviewed and owned by the Council.
- Where a complaint can be resolved within 5 working days without the need for an investigation (subject to agreement from the complainant), the resolution will be confirmed in writing, using the Stage 1 response template, and can be authorised by a Team Leader or Manager. Cases that require an investigation and cannot be responded to within 5 working days will need to be approved by the Head of Service. This will be closely monitored by the Customer Relations Team.
- Responses should be an assessment and evaluation of the events that led up to the complaint being registered. The response should be in plain English and should outline;
 - a) the complaint stage;
 - b) the complaint definition;
 - c) the decision on the complaint and the reasons for any decisions made
 - d) the details of any remedy offered to put things right;
 - e) details of any outstanding actions (which should be tracked through the complaints management system); and details of how to escalate the matter to Stage 2 if the individual is not satisfied with the response.
- The response must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.
- If during the course of the investigation the resident raises other issues which are linked, these should be incorporated into the Stage 1 response. If the response has already been issued or the matter raised are unconnected, a separate Stage 1 complaint should be logged.
- If more time is needed to provide a comprehensive response, the service area must discuss this with the Customer Relations Team and notify the complainant before the team authorises an extension on our complaints management system. During the conversation with the complainant suitable intervals for providing updates should also be agreed. This should be tracked using the 'To Do' function on the complaints management system.
- Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident. The case handler will also signpost the resident to the Housing Ombudsman if they wish to seek an independent review.

- The case handler should be complainant's key point of contact until the complaint is resolved or agreed otherwise by a Team Leader or Manager.

9.2 Stage 2 - Review

- If the service user is not satisfied with our response at Stage 1, they can contact us via the information provided within the Stage 1 response to request an escalation. The complainant is not required to provide an explanation for requesting a Stage 2 review. The request for an escalation must be made within 12 months of the Stage 1 response.
- Requests for Stage 2 must be acknowledged, defined, and logged within 5 working days of the escalation request being received. The Council will always outline to the resident the reasons for not escalating a complaint or dealing with it under a different process.
- The case will be allocated to one of our Stage 2 Complaints Review Officers to investigate the complaint. This review will always be conducted outside of the service area and by a different staff member to the previous stage.
- The Complaints Review Officer will contact the complainant to understand the reasons for their escalation and work with relevant service areas where the complaint originated from to see if a resolution can be reached, and to identify any learning.
- A response will be provided within 20 working days and will reflect the actions we will take to address the concerns. As the final stage of our complaints process, the response will need to be approved by a relevant Director or Assistant Director within the Housing Management division.
- The response should be in plain English and should outline;
 - a) the complaint stage;
 - b) the complaint definition;
 - c) the decision on the complaint and the reasons for any decisions made;
 - d) the details of any remedy offered to put things right;
 - e) details of any outstanding actions; and
 - f) details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.
- The response must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.

- Responses should not be delayed ensuring all outstanding actions are completed. Any outstanding actions should be tracked as 'Corrective Actions' through the complaints management system.
- If an extension to this timescale is needed when considering the complexity of the complaint, the service user will be informed of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) for the extension should be clearly explained to the resident. We will also provide the resident with contact details for the Housing Ombudsman should they wish to pursue an independent review.
- If an extension is agreed, during the conversation with the complainant, suitable intervals for providing updates should also be agreed. This should be tracked using the 'To Do' function on the complaints management system.
- The Customer Relations Team will monitor, audit, and track high profile cases to ensure any follow-up actions agreed as part of the response are recorded, actioned, and completed in Council's complaint management system. Performance in following up on complaints is reviewed on a quarterly basis by Council's Management Team.

10. Outcomes and remedies

Complaints can be resolved in a number of ways. The outcome of a formal complaint will be:

Upheld	this means that the customer's reasons for dissatisfaction are justified
Partially upheld	this means that some of the customer's reasons for dissatisfaction are justified but that some of the issues or claims raised by the customer are unfounded, unreasonable or not the fault of the Council
Not upheld	this means that none of the customer's reasons for dissatisfaction are justified

Across both Stage 1 and 2, action plans will be agreed which set out what needs to happen to put things right and monitor resolution. Actions may include;

- Apologising;
- Acknowledging where things have gone wrong;
- Providing an explanation, assistance or reasons;
- Taking action if there has been delay
- Reconsidering or changing a decision;
- Amending a record or adding a correction or addendum;
- Providing a financial remedy;

- Changing policies, procedures or practices.

These will be tracked as corrective actions on our complaints management system.

The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate.

Any remedy offered will reflect the impact on the resident as a result of the issue identified, as outlined in our Redress Policy which is based on guidance from the Housing Ombudsman service.

11. Beyond the Complaints Policy

If a service user disagrees with our response at Stage 2, they can make a request for their case to be considered by either the Housing Ombudsman or the Local Government and Social Care Ombudsman (LGSCO) depending on the nature of the complaint that has been made. Both the Ombudsman regimes are fully independent of local councils and are answerable to Parliament.

Ombudsman	Suitable for	Example Subject Areas
Housing Ombudsman info@housing-ombudsman.org.uk PO Box 152 Liverpool L33 7WQ	Tenants and Leaseholders of Tower Hamlets Council	Tenancy management Estates Repairs and Maintenance Rent and recharges
Local Government and Social Care Ombudsman http://www.lgo.uk/contact-us PO Box 4771 Coventry CV4 0EH	Tenants and Leaseholders of Tower Hamlets Council	Home choice Register administration Housing Options Right to Buy

Complainants can take service charge disputes to the First Tier Tribunal (Property Chamber).

12. Petitions

We treat complaints received as petitions in the same way as all complaints. We are happy to meet the petitioners as a group. To help us handle the complaint efficiently, we will ask the group to nominate a single point of contact and we will work with this person to resolve the complaint. Petitions will be logged onto our complaints management system as a Stage 1 complaint but marked as a petition. Please see the Council's Petitions Procedure for guidance.

13. Continuous learning and improvement

A positive complaint handling culture is crucial to the effectiveness of our dispute resolution. Complaints are opportunities to put things right and learn lessons to introduce positive changes in our service delivery. This could be by changing our processes, reviewing our policies, or training for staff.

To achieve this, the Customer Relations Team plays an active role in helping services across the Council's Housing Management division to identify learning, and embed this in how they deliver services. The team are responsible for:

- Monitoring complaints to ensure that response times are achieved.
- Reviewing complaints, identifying trends, best practice and highlighting lessons learnt in conjunction with service areas.
- Capturing feedback on the complaints handling process including outcomes of complaints and Housing Ombudsman investigations, and progress made in complying with orders related to severe maladministration findings.
- Supporting service areas to track and deliver on commitments made and explore options for a resolution with residents at the point of receiving a request for an escalation.
- Producing a frequent report highlighting performance trends, compliance with policy, causes for complaints escalations and learning which will be fed back to stakeholders such as the elected Members, the Corporate Management Team, and resident bodies.
- Publishing quarterly information on complaints and performance in customer newsletters.
- Quality assessing a sample of responses from each service area to ensure that the policy is being applied consistently across the service.
- Supporting the swift resolution of Stage 2 complaints and monitoring performance.
- Acting as key point of contact for the Housing Ombudsman on cases that have already or are yet to exhaust our complaints procedure. We will also be proactively monitoring decisions made by the Housing Ombudsman to ensure the Council is able to learn from them.

Whilst will always monitor the volumes of complaints we receive; our priority will always be to learn from complaints and ensure that learning is reflected in the services we deliver.

14. Scrutiny & oversight

We are committed to supporting a positive complaint handling culture. To improve accountability and transparency we regularly report back on wider learning and improvements from complaints to our stakeholders which includes residents and staff. The lead Member for our housing portfolio is also responsible for ensuring our governing body receives regular insight into our complaint handling performance and learning updates.

14.1 Reporting

As part of our commitment to complying with the Housing Ombudsman's Complaints Handling Code we will ensure that we publish an updated annual self-assessment on our compliance with the code. This will be accessible to residents on the Council's website. Our self-assessment may be reviewed and updated earlier in the event of any significant change (e.g. major restructure or change in procedures/practices) or at the direction of the Ombudsman service.

We will ensure that we produce regular reports on our complaints performance and service improvement priorities. Our reports will provide;

- an assessment on our compliance against the Complaint's Handling Code
- a qualitative and quantitative analysis of our complaint handling performance
- highlight any findings of non-compliance with the Code by the Ombudsman;
- set out service improvements made as a result of the learning from complaints;
- highlight any annual or relevant report about our performance from the Ombudsman

These will be shared with our governing body and formal resident engagement structures. We will also produce an annual report on our performance for the year which will be published on our website.

In the event we are unable to comply with the Code due to exceptional circumstances, such as a cyber incident, we will notify the Ombudsman, provide information to residents who may be affected, and publish this on our website. We will also provide a timescale for returning to compliance with the Code.

14.2 Accountable person for complaint handling

The Housing Ombudsman Code requires a senior lead person as the accountable person for complaint handling. Our Head of Regulatory Assurance holds this role and will assess themes and trends, identify systematic issues, risks and policies that require intervention.

14.3 Member Responsible for Complaints (MRC)

The Housing Ombudsman Code requires a member of the governing body or equivalent to be appointed to have lead responsibility for complaints. Our Corporate Director of Housing & Regeneration holds this role as the Responsible Person for the Consumer Standards. Ultimate accountability lies with the Lead Member of Housing.

15. Consultation and tenant involvement

We recognise the importance of working in partnership with our residents to develop and continuously improve our services. We will involve our residents in reviewing and learning from complaints.

Where appropriate we may invite residents to take part in focus groups and workshops to provide feedback and serve as case studies that can be used to assist with the review of our policies and working practices.

16. Reasonable Adjustment Policy

The Council is committed to meeting its duties under the Equality Act 2010. Our Reasonable Adjustments Policy anticipates the needs of residents and the types of reasonable adjustments they may need to ensure that they are not disadvantaged in accessing our complaints process.