



ADUR DISTRICT
COUNCIL

Housing

Feedback and complaints policy and procedure

Adopted: April 2024

Review Date: April 2025

1. Introduction

Adur Homes' values all customer feedback. Our tenants' voices are important to us and we treat both complaints and compliments as an opportunity to learn and improve our services. We will investigate complaints fairly and impartially, apologising when we have got things wrong and attempting to put them right. This policy explains our procedure when we receive a complaint and how we will respond to you.

2. What is a complaint?

A complaint is an expression of dissatisfaction about a service or product. This might be how we have handled a report of Anti Social Behaviour, the quality of a repair, or the length of time you have waited for an issue to be dealt with.

Service requests as defined by the Housing Ombudsman are; *"a request from a resident to the landlord requiring action to be taken to put something right,"* such as reporting a repair or an issue with Anti Social Behaviour. These will be looked after by the appropriate team, in line with their policies and procedures and the terms and conditions of tenancy, outside of this complaints process and recorded as Business As Usual (BAU) requests.

If you are unhappy with our response to a problem, we will escalate the issue to a formal complaint.

3. How to make a complaint

You can make a complaint via any of the following options:

- Website [Submit an online form](#)
- Email customerfeedback@adur-worthing.gov.uk

- Letter Customer Feedback, Adur District Council, The Shoreham Centre, 2 Pond Road, Shoreham-by-Sea, West Sussex, BN43 5WU
- Telephone 01273 263000
- In person at Worthing Town Hall, Portland House, The Shoreham Centre or at any appointment with a Housing employee.
- Via a third party.

If you make a complaint via our social media sites, to protect confidentiality and privacy we will respond by asking you to message us directly with further details. Once we have made direct contact, we will record and respond to these complaints formally.

If your complaint is submitted via a third party or representative, this will wherever possible, be handled in line with this complaints policy.

Complaints regarding our contractors will also be managed through this policy.

There are some issues which we cannot deal with under this policy which are detailed at point 8.

If we decide not to accept a complaint, an explanation will be provided setting out the reason why the matter cannot be dealt with under the complaints policy and will inform you of what to do next.

If you are unhappy with this decision, you have the right to take your complaint to the Housing or Local Government and Social Care Ombudsman.

4. How your complaint is managed

4.1 Stage one complaints

You will receive a written acknowledgement of your complaint within 5 working days of submitting it that includes a summary of the issues raised, the name of your complaint handler, details of how to contact the appropriate Ombudsman and advice on how to request reasonable adjustments in line with the Equalities Act 2010. If you indicate a preferred method of contact when submitting your complaint we will always try to meet this request.

The Customer Feedback Team will then assign your Stage 1 complaint to the relevant housing service, ensuring there will be no conflict of interest.

Your complaint handler will:

- Act independently and have an open mind
- Contact you to ensure we have a full understanding of your complaint and what you would like us to do to resolve it
- Issue you with a written response within 10 working days from the date your complaint was acknowledged.

The response will confirm the complaint stage, what decision we have made and the reasons for it, and our proposed remedies. We will explain the actions we intend to take and give you a target timescale for completion.

Where you raise additional and related issues during the investigation, these will normally be incorporated into the Stage 1 response. If the Stage 1 response has already been sent, or adding further issues would cause delays, a new complaint will be logged.

4.2 Stage two complaints

If you are dissatisfied with the Stage 1 response, you can ask for your complaint to be escalated to Stage 2.

You will receive an acknowledgement of the escalation within 5 working days of your request being received.

A new senior investigating officer will contact you to ensure they understand why you are dissatisfied and ask what actions you would like us to take to resolve your complaint. They will examine the stage 1 investigation and response to check if it was thorough, reasonable and fair, and issue you with a final decision within 20 working days of your complaint being acknowledged.

4.3 Extensions

In exceptional circumstances that will affect our ability to respond fairly to your complaint at either stage one or stage two, we may contact you to discuss extending the deadline. These circumstances might include

- A delay by a third party, over which we have no control, in providing information
- Requiring further time to undertake interviews and/or
- Needing longer to acquire all the information required from multiple sources to enable us to properly investigate a long-standing complex case

4.3 Housing Ombudsman (HO)

Adur Homes customers have the right to contact the Housing Ombudsman at any stage of the complaints process and we will provide their contact details in all letters and on any request.

The Housing Ombudsman will investigate the following housing complaints:

- disputes involving the tenants and leaseholders of social landlords (housing associations and local authorities)
- leasehold services
- rent/service charges
- moving to a property - tenancy / transfer / mutual exchange
- Tenant Behaviour
- repairs / housing standards
- environmental health issues of property
- complaints about housing staff
- councils' handling of the complaints process

[How to refer a complaint to the Housing Ombudsman](#)

4.4 Local Government & Social Care Ombudsman (LGSCO)

The LGSCO can investigate complaints about the Council's services including housing allocations and homeless applications. Their fact advice sheets are available via the links below:

- [Homelessness applications](#)
- [Harassment or illegal eviction by your private landlord](#)
- [Possessions in council storage](#)
- [Housing transfers](#)
- [Housing applications](#)
- [Housing adaptations for people with disabilities](#)
- [Housing complaints by private landlords](#)
- [Neighbour nuisance and anti-social behaviour](#)
- [Private housing disrepair](#)
- [Right to buy applications](#)

[How to make a complaint to the LGSO](#)

4.5 How you can help us

We understand it is frustrating when we do not meet your expectations and that there may be distressing circumstances involved.

We will treat you respectfully and ask that you are respectful towards our employees and representatives.

We ask that you do not use abusive language or behaviour when communicating with us and ask you to engage with all reasonable requests made in an effort to resolve your concerns.

5. Additional Information

5.1 Complaints of discrimination and harassment

These will be dealt with sensitively, considering the nature of the issues raised when appointing an investigator.

In cases of alleged harassment or discrimination, we will consider the characteristics of the investigating officer, and if appropriate, discuss this with you before appointing an investigator.

Complaints regarding specific employees will be investigated within our internal policies and procedures. If we believe we have made a mistake we will apologise and make attempts to put things right.

5.2 Complaints received via third party

When we receive a complaint from you via an elected member, advocate, or other third party we will handle this in line with this complaints policy and direct our response to you and the third party unless you instruct us otherwise.

You will be asked to sign an Authority to Discuss form if you wish us to share information about you with your representative.

5.3 Complaints received by the Chief Executive

Complaints received by the council's Chief Executive will be passed to Adur Homes who will ensure that you are responded to in line with this policy. Service requests will be directed to the relevant service.

5.5 Anonymous complaints

Anonymous complaints about the service will be investigated as far as possible, and a record of the complaint kept for two years. Anonymous complaints about an individual will not be investigated.

5.6 Compensation

Adur Homes [Compensation Policy](#) sets out Adur Council's approach to discretionary compensation to Adur Home tenants who have experienced loss, damage, inconvenience or distress due to service failure or other faults by the Council.

6. Learning from complaints

Throughout their investigation, complaints handlers will try to identify what has gone wrong so that we can learn from our mistakes. All learnings will be recorded, shared anonymously with other services, our Adur Homes Board and tenants through our tenant engagement work. We will also report learnings and the changes we make as a result in our resident newsletter and in our annual report which will be published on our website together with the formal response to the report from our governing body.

Each year and after any organisational or service redesign, we will complete our annual self-assessment against the Housing Ombudsman's complaint handling code. The outcome of the assessment will be reported to the relevant committee, published on our website and included in our annual report.

7. Equality and Diversity, and Accessibility

We are committed to providing an inclusive, equal and fully accessible service to all of our customers. We will make reasonable adjustments where needed to ensure no one is disadvantaged due to any protected characteristic under the Equalities Act 2010.

Customers are invited to request adjustments under the Equalities Act 2010 which may include, but are not limited to:

- Provision of information in appropriate alternative formats (eg large print, Braille, coloured paper etc)
- Extension of time limits to provide additional information or supportive documents
- Provision of auxiliary aids (eg interpreters)
- Use of email or telephone in preference to hard copy letters, or vice versa.
- Opportunity to communicate through a mutually agreed representative or intermediary

We will publicise our complaints policy and procedure on our website, in our tenant handbook and we will include a recurring article in our tenant newsletter explaining how you can access the complaints process.

8. What we cannot deal with under this procedure

We will consider all individual complaints on their own merit, however, there may be a small number that cannot be dealt with under this policy, including:

8.1 Statutory Appeals

If an appeals procedure applies to your complaint, we will refer you to this and notify you of our actions at the outset.

Appeals procedures must be completed before we can investigate any other issues you raise with us. If this is the case, we will let you know.

The following are examples of complaints where there is an appeals process and so we will not deal with them under this policy: -

- Housing allocation scheme (Housing Register)
- An eviction decision
- Review of homelessness decision
- An enforcement notice

8.2 Complaints regarding issues that occurred over 12 months ago

We would not normally investigate complaints about something that happened more than 12 months from the date of your complaint, unless we agree there are exceptional circumstances.

8.3 Duplicate complaints

Complaints that have already been responded to formally and / or have received a determination from the Housing Ombudsman.

These will be treated as service requests in progress and dealt with by the appropriate team. Examples may include Anti Social Behaviour cases where ongoing tenancy management is required and / or there are ongoing legal proceedings, or repairs and maintenance that require intensive investigation, independent specialist reports, or long term planned works.

8.4 When legal proceedings are in process

Complaints where a claim has been filed at court.

8.5 Complaints about Councillors

To [make a complaint about a Councillor](#), please refer to our website for further advice.

8.6 Allegations of fraud, theft or corruption by a member of our staff

We are committed to being open and accountable for our staff. Please refer to [our website](#) for further advice.

8.7 Complaints about Freedom of Information (FOI), Subject Access (SAR) and Environmental Information (EIR) requests.

Requests for Information have a separate policy and will be handled in accordance with those procedures and the relevant legislation. You can also ask the Information Commissioner's Office (ICO) for assistance.

Contacting the ICO

If your complaint is not suitable to be dealt with under this complaints process, an explanation will be provided to you in writing with details of any alternative processes or appeals.

9. Acceptable Behaviour

Everyone deserves to be treated with respect and consideration. To support the safety and wellbeing of both customers and employees, we have a Customer of Concern Policy that outlines what actions we may take if behaviours become unreasonable.

9.1 Housing Ombudsman guidance

The Housing Ombudsman states on their website:

‘Behaviour is not unacceptable just because a person is assertive or determined. There may have been distressing circumstances leading up to a customer contacting the landlord and people may act out of character. Behaviour may become unacceptable however if it is so demanding or persistent that it places unreasonable demands on the landlord and impacts the level of service that can be offered to others.

It is helpful to provide examples that would normally include:

- *unreasonable demands (eg requesting large volumes of information, asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another)*
- *unreasonable persistence (refusing to accept the answer that has been provided, continuing to raise the same subject matter without providing any new evidence, continuously adding to or changing the subject matter of the complaint)*
- *verbal abuse, aggression, violence (this is not just limited to actual physical or verbal abuse but can include derogatory remarks, rudeness, inflammatory allegations and threats of violence)*
- *overload of letters, calls, emails or contact via social media (this could include the frequency of contact as well as the volume of correspondence received as well as the frequency and length of telephone calls)’.*

9.2 Addressing unacceptable behaviour

Where it is considered that a complainant’s behaviour may be becoming unreasonable, a referral will be made to the Assistant Director of Housing who will consider the evidence and if warranted, will send a copy of this procedure with notice of its possible implementation to the complainant asking them to amend their behaviour.

Where there is no change in behaviour, the Assistant Director of Housing will review the matter in consultation with the Information Management Team and Director of

Housing and Communities who will decide how complaints are dealt with going forward.

9.3 Restrictions of contact

Restrictions may be placed on how, or how frequently the customer may contact us, these may include but are not limited to:

- that all complaints must be put in writing only
- that telephone contact is prohibited
- that the Council will accept contact with the complainant via only one method of communication only (either in person, by telephone, letter, email or any combination of these)
- that all communication must be made to one named officer or email address only
- that unless in the case of an emergency response is due the complaints will be limited, for example, to once per week and/or
- that the Council has no option but to consider taking legal action

These restrictions may relate to a specific complaint, a customer's use of the complaints process, or all contact with Housing Services and / or the Councils.

Where the conduct of the complainant is such that it is threatening, abusive or constitutes harassment, further action may include restricting the complainant's contact with the Council in accordance with this procedure and/or taking steps in accordance with the Council's Customer of Concern Protocol.

9.4 Adur Homes will notify the complainant in writing of:

- the reasons their conduct has been treated as unreasonable;
- the action that will be taken and details of any restrictions placed on the complainants contact with the council
- How long any initial restrictions will last.

9.5 Review

A review of this decision will be carried out after a period of 6 months and the customer will be informed of the outcome. If restrictions are to continue to be applied a new review date will be set.