

Ashford Borough Council Housing Service Complaints Policy 2025

1. Purpose and Scope

This policy sets out the process for handling complaints in alignment with the Housing Ombudsman's Complaint Handling Code. The aim is to ensure that all complaints are managed effectively, fairly, and in a timely manner, ensuring residents' concerns are addressed and resolved.

This policy applies to all tenants, leaseholders, and any individuals affected by the services provided by Ashford Borough Council. Any reference to 'we,' 'our,' 'us' refers to Ashford Borough Council. When we use 'you' and 'your' we mean any resident or customer or their representative acting with their permission, set out above.

This policy applies to all complaints about our Housing Service in whole or in part and can be found on the council's website.

2. Relationships with existing policies

This Policy is part of a wider framework of council policies designed to ensure consistent, effective, and high-quality service delivery across all areas. The following policies and procedures are closely linked to this Policy and should be referred to where relevant:

- a. Complaints Handling Policy (relating to local government services beyond the housing service)
- b. Unreasonable Conduct Policy

2. Definitions

- **Complaint:** an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.
- **Service request:** request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly
- **Complainant:** the individual or group making the complaint.
- **Stage 1 Complaint:** the initial formal complaint.
- **Stage 2 Complaint:** a complaint that has been escalated following dissatisfaction with the Stage 1 response.
- **Legal proceedings:** details of the claim, such as the Claim Form and Particulars of Claim, have been filed at court.

3. How to Make a Complaint

We want to make sure our complaints process is accessible. A complaint can be raised in any way and with any member of our staff.

Complaints can be made via the following methods:

- **Online:** through the complaints form on our website: [How to make a formal complaint to Ashford Borough Council](https://www.ashford.gov.uk/housing/council-tenant/existing-council-tenants/housing-complaints-procedure).
<https://www.ashford.gov.uk/housing/council-tenant/existing-council-tenants/housing-complaints-procedure>
- **In Writing:** email to customer.care@ashford.gov.uk or by post to Ashford Borough Council, International House, Dover Place, Ashford, TN23 1HU.
- **By Phone:** call 01233 331111 during business hours.
- **In Person:** visit our offices or speak with a member of staff.

Complainants can also seek advice and support from the Housing Ombudsman Service at any stage of the complaints process.

4. Who can complain?

- Anyone who lives, works or visits the borough and receives services is entitled to complain.
- Any corporate body acting on behalf of itself, its employees or its customers.
- Members, MPs and advice agencies acting on behalf of an individual or group of individuals.

A councillor may complain in his/her own right or on behalf of a resident or service user

5. Complaints Handling Process

The stages of the complaints handling process are set out below:

Stage 1: Formal Complaint

1. **Acknowledgment:**
 - Complaints will be acknowledged within **5 working days** of receipt.
 - The acknowledgment will confirm that the complaint is being investigated and provide the name and contact details of the person handling the complaint.
2. **Investigation and Response:**
 - Complaints will be allocated to an appropriate officer who will carry out the investigation and provide a response. As part of this Stage One process, we will contact complainants to discuss the complaint in detail, understand what the issues are and what resolution the complainant is looking for.

- A full investigation will be conducted, and a written response provided within **10 working days** of the complaint being acknowledged.
- If the complaint requires more time to investigate, the complainant will be informed of the delay and provided with a new expected response date. We will aim to advise you of any expected delay as soon as possible and the extension will not exceed **10 working days**. If a response date is likely to fall outside of these timescales we will agree these with the complainant and keep them informed about their complaint.

3. **Resolution:**

- Once we have investigated the complaint, we will respond to the complainant outlining the following;
 - a) The complaint stage,
 - b) Our understanding of the complaint,
 - c) Our decision on the complaint,
 - d) Reasons for that decision,
 - e) Clear details of any remedy offered to put things right, including timescales we have agreed with you,
 - f) Details of any outstanding or further actions required and how we will monitor progress.
 - g) How you can contact us to discuss our findings
 - h) Details of how to escalate your complaint to stage two if you're not satisfied with the outcome.
- If the complaint is upheld, the response will detail the steps taken to put things right. Remedies could 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.

Stage 2: Complaint Escalation

1. **Request for Review:**

- If the complainant is dissatisfied with the Stage 1 response, they can request an escalation to Stage 2 within **6 months** of receiving the response.
- This request can be made through any of the contact methods listed in Section 4 of this policy.

2. **Stage 2 Investigation:**

- The Assistant Director of Housing or an equivalent or more senior manager will review the complaint.
- Acknowledgment of the Stage 2 complaint will be made within **5 working days** of receipt.
- A thorough investigation will be conducted, and a final response provided within **20 working days** of the Stage 2 complaint

acknowledgment. If an extension is required, we will inform you. This will be for no further than 10 working days.

3. Final Resolution:

- The response will outline the following:
 1. The complaint stage,
 2. Our understanding of the complaint,
 3. Our decision on the complaint,
 4. Reasons for that decision,
 5. Clear details of any remedy offered to put things right, including timescales we have agreed with you,
 6. Details of any outstanding or further actions required and how we will monitor progress.
 7. How you can contact us to discuss our findings
 8. Your right to contact the Housing Ombudsman Service if you remain dissatisfied.
- The complainant will be informed that this is the final stage of the internal complaints process and provided with details of how to contact the Housing Ombudsman if they remain dissatisfied.

6. Housing Ombudsman Service

- If the complainant remains unhappy after the Stage 2 response, they may refer their complaint to the Housing Ombudsman. The Housing Ombudsman can be contacted at any stage for advice and guidance.
- Contact details for the Housing Ombudsman Service:
 - **Phone:** 0300 111 3000
 - **Website:** <https://www.housing-ombudsman.org.uk>
 - **Email:** info@housingombudsman.org.uk ~

7. Exclusions

We will accept all complaints unless there is a valid reason not to do so. If we deem a complaint invalid we will explain and evidence our reasoning to the customer.

Each complaint will be considered on its own merit but acceptable exclusions include:

The issue giving rise to the complaint occurred over 12 months ago

Legal proceedings have started

The matter has previously been considered under this complaints policy.

Matters relating to Data Protection, Freedom of Information and Environmental Information Regulation Requests fall within the jurisdiction of the Information Commissioner Office (ICO). Complaints that fall within the ICOs jurisdiction will follow processes governed by them. This includes an internal review procedure and

the right to appeal to the ICO. More information including how to escalate any concerns can be found on the Transparency page on the council's website and directly within any issued replies.

8. Confidentiality and Data Protection

All complaints will be treated with strict confidentiality. Personal data will be handled in accordance with the UK General Data Protection Regulation (GDPR), the Data Protection Act 2018 and Privacy and Electronic Communications Regulations 2003 as amended and the guidance and codes of practice issued by the Information Commissioner.

9. Learning and Continuous Improvement

- We take learning from complaints seriously as this is a key part of service improvement. All complaints will be reviewed to determine what we can learn from the complaints itself, our handling of the complaint and the resolution developed in relation to this.
- Complaints will be monitored regularly at Housing Management Team meetings to identify patterns and areas for improvement. Learning will be disseminated across the Housing Service and the wider Council as appropriate.
- For continuous improvement, full regard will be paid to updates, briefings and guidance from the Housing Ombudsman from time to time along with examples from the Housing Ombudsman provides on cases by other organisations.
- An annual report will be published detailing the number of complaints, their nature, outcomes, and any improvements implemented as a result.

10. Performance Reporting and Monitoring of Policy

We will report the Housing Service's annual performance on complaints to the Council's Cabinet which will serve as the governing body for the monitoring of the Housing Service Complaints Policy. This does not exclude performance being reported to other officer and members' meetings within the Council.

- The Housing Services performance for the previous financial year will be reported to Cabinet by the end of September in the current financial year.
- The Cabinet's comments and decisions on the Service's performance will be publicly available on the Council's website.
- Performance on housing complaints will also be reported to residents and customers on the Council's website, in residents' newsletters and at resident group meetings as appropriate.
- We will publish our self-assessment against the Housing Ombudsman's Complaint Handling Code annually by the end of May.

11. Unreasonable Complaints

The Housing Service values complaints and is committed to handling them fairly and in accordance with this Complaints Handling Policy. The council operates on a prevention over treatment policy, which believes unreasonable behaviour can be prevented by ensuring individuals can access services and the information they need and that their interactions with the council are positive and constructive. However, there are instances where complainants may behave in ways the council deems unreasonable.

To address such situations, the council has established processes for managing unreasonable conduct by complainants. Please see our [Unreasonable Conduct Policy for further information](#).

12. Accessibility

This policy is available on our website and can be provided in alternative formats or languages upon request including large print, Braille or audiotape. Assistance will be provided to any complainant needing help to access or understand this policy.

13. Policy Review

This policy will be reviewed every two years, or sooner if there are changes in legislation or best practices recommended by the Housing Ombudsman or other regulatory bodies. An annual health check of the policy will be conducted in conjunction with the Housing Ombudsman complaints self-assessment.

This policy has been designed in accordance with the Housing Ombudsman's Complaint Handling Code to ensure fairness, transparency, and accountability in handling complaints.