

Landlord Complaints Policy

Summary

Portsmouth City Council have a Corporate Complaints policy, this policy complements and focuses on our statutory duty as a Landlord.

While we always strive to provide a good service, we know that sometimes things can go wrong. When this happens, we want to know about it, so we can make it right. We want to ensure that your voice is heard and show you that we take complaints very seriously. We will respond as soon as we possibly can and always in line with regulations.

This policy provides a clear, simple and accessible opportunity for our customers to be able to raise complaints and have them promptly, politely and fairly handled.

Effective date

1 April 2024

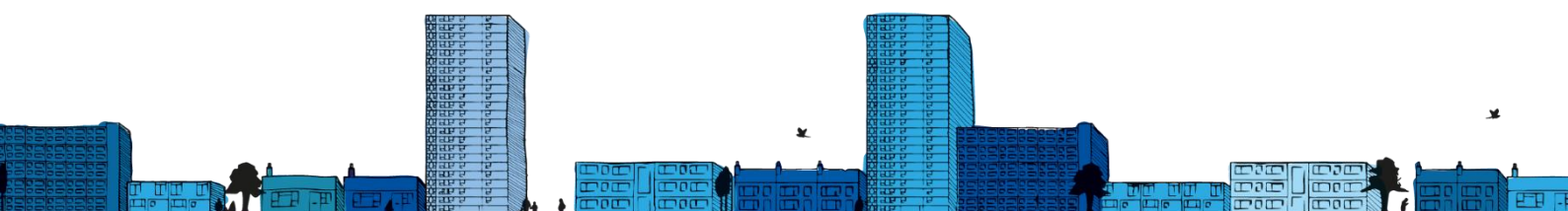
Review

Latest Review Date: 2 January 2025

We will review this Policy every 2 years or when there has been an update to legislative, regulatory, best practice or operational changes.

Version

Version 1.1



Landlord Complaints Policy contents

Summary	1
Effective date.....	1
Review	1
Version	1
Landlord Complaints Policy contents	2
Scope	3
Purpose	3
Definitions	4
What is a complaint?	4
Difference between a complaint, enquiry or service request.....	5
How we manage complaints	5
Support for customers who want to make a complaint.....	6
How can a complaint be made?	6
Complaints made via social media	6
Verbal complaints	7
Anonymous complaints	7
Complaining through a representative	7
When can a complaint be made?	7
Identifying and accepting a complaint.....	7
Complaints Procedure.....	8
Stage One	8
Investigating a complaint	8
Escalation to Stage Two	9
Stage Two	9
Housing Ombudsman Service	10
Communicating a decision and putting things right	10
Complaints about Portsmouth City Council Contractors	11
Persistent complaints and unreasonable behaviour from complainants	11
Comments and compliments.....	11
Monitoring and reviewing our service	11
Self-assessment.....	12
Your voice	12
What have we done to make sure this Policy is fair?	13
Regulation and legislation	13
Related documents	13
How to feedback	13



Compliments	14
Complaints	14
Housing Ombudsman Service	14
Building Safety Regulator	14
Energy Ombudsman.....	14

Scope

This policy applies to anyone who has been directly affected by us, our homes or our services in Portsmouth Homes, which could include:

- Tenants, homeowners, leaseholders, shared owners and former tenants
- A person who receives or has received the service
- Someone acting on behalf of someone with their consent
- A person who is affected or likely to be affected by the actions or decisions made by us as a Landlord

Any reference in this policy to 'we', 'our' or 'us' refers to Portsmouth City Council, Portsmouth Homes.

Any reference in this policy to 'tenant', 'customer' or 'resident' refers to a Portsmouth City Council, Portsmouth Homes secure tenant, leaseholder or shared owner.

Any reference in this policy to 'working days' refers to Monday to Friday and does not include weekends and bank holidays.

Purpose

We are committed to engage and learn from our customers, developing our services to meet changing expectations. This policy and approach supports us to continually improve what we do, by identifying root causes, learning from complaints, making improvements and developing a positive complaint culture.

We aim to resolve complaints quickly and fairly and will try to put right any mistake or misunderstanding straight away. Sometimes it may take longer, but we will agree a response time with you and keep you updated.

We value your feedback and are committed to identify areas of the service where we need to make changes and improvements, making sure we deal with complaints effectively and consistently.

Making a complaint will not affect your right to receive our services.

The purpose of this policy is to:

- Provide customers with clear guidance / expectations and timeframes



- Work in partnership with the Corporate Complaints team and specialist agencies where appropriate
- Support customers, ensuring they are also meeting the obligations as a tenant in line with the Tenancy agreement.
- Support staff to recognise complaints, effective recording of the complaint and awareness of the process to deliver a continued improvement to the service we provide
- Should we decline to accept a complaint, we will explain why the matter is not suitable for the complaints process and advise our customer of their right to approach the Housing Ombudsman, Energy Ombudsman and / or Building Safety
- Meet our regulatory and legal requirements.

Definitions

What is a complaint?

A complaint is any expression of dissatisfaction, however made, about a standard of service, actions or lack of action by us, our staff or those acting on our behalf, affecting a customer or resident, or a group of customers or residents.

A complaint is not a request for a service or enquiry about a service. It may become a complaint, if we fail to deliver our services efficiently and effectively after receiving the initial enquiry.

A building safety complaint, relates to the structural failure and spread of fire in a high-rise residential building (building safety risks) or the performance of an accountable person, Portsmouth City Council. If your complaint is about a safety concern in a tall building (seven or more floors), you can take your complaint to the Building Safety Regulator. They exist to give you confidence in the safety of your building and can independently investigate your complaint. Contact details for the Building Safety Regulator are included below.

It is always helpful for us to know from you what you want us to do to put things right. You do not need to use the word complaint for it to qualify as one, we will seek to ensure we recognise the difference between a request for a service and a formal complaint. We will take steps to resolve issues as quickly as possible.

We will treat a complaint in accordance with our policy and processes and ensure we follow the Housing Ombudsman Complaint Handling Code.

A complaint submitted via a third party or representative will be handled in line with this policy, with consent.

We will accept a complaint unless there is valid reason not to do so.

Valid reasons for not accepting a complaint include:

- The issue is, or has been, subject to legal proceedings
- There is a liability issue that is subject to an insurance claim
- The complaint has not been raised in a reasonable timeframe



- The issue has already been considered as a complaint

If we decide not to accept a complaint, we will explain clearly why the matter is not suitable for the complaints process.

Difference between a complaint, enquiry or service request

The Housing Ombudsman Service defines a service request as:

‘A request from a resident to their landlord requiring action to be taken to put something right’.

When you first let us know about your concern, as a starting point we will ask you what you would like us to do to put things right. We can often resolve service requests, such as a missed appointment, immediately with an apology and by providing another appointment. We may be able to resolve this outside of our complaints process. If we need to make further enquiries to resolve the matter, or if you ask us to and the matter meets our criteria, we will log it as a complaint.

All complaints and service requests/enquiries are unique, and each one needs to be considered individually in determining how it should be handled.

If you are in any doubt as to whether something should be managed as a complaint or a service request, ask the Landlord Complaints Team for advice.

How we manage complaints

All complaints are managed confidentially.

We will handle all complaints fairly and honestly regardless of who is making a complaint.

All complaints will be responded to promptly, and in accordance with the set timescales wherever possible. Where we are unable to meet the timescales set out in the policy, we will let the customer know there has been a delay.

Customers will be kept informed of the progress of their complaint and of any delays.

If a complaint is made to a Councillor(s), the customer will be referred to corporate complaints and the complaint will be managed in line with their policy and may link in with the Landlord Complaints Team, if required. The Councillor(s) will be provided with a copy of the response to the complaint. This would not prevent the customer from raising a complaint themselves, if they were unhappy with the outcome from the initial enquiry.



Support for customers who want to make a complaint

We are committed to making sure the way we handle complaints does not place anyone, irrespective of disabilities or other characteristics, at a disadvantage, and we will make reasonable adjustments if the way we handle complaints would otherwise place a person with disabilities or other characteristics at a substantial disadvantage

Customers who would like us to make a reasonable adjustment to enable them to make a complaint, should make a request to the Landlord Complaints Team or other member of Portsmouth Homes staff. A request for a reasonable adjustment can be made through any channel, or via a representative in line with our policy.

How can a complaint be made?

We want it to be easy and accessible for all our customers to raise dissatisfaction and you can tell us about your issue in a variety of ways:

- By telephone
- In person
- By email
- In writing
- Through a representative or advocate (where consent has been provided)

You can raise your complaint with any member of staff for Portsmouth Homes. These will be managed centrally by the Landlord Complaints Team, who receives the complaints and assesses whether they should be treated as formal complaints or managed as an enquiry or service request.

They will oversee the complaints process, provide advice to the manager carrying out complaint investigations and responding to complaints in a timely manner.

We will accept a complaint unless there is a valid reason not to do so, as described above. We will always provide a detailed explanation setting out the reason why the matter is not suitable for our complaints process and your right to contact or escalate to the Housing Ombudsman / Energy Ombudsman / Building Safety Regulator.

We will always manage your expectations from the beginning, being clear where the desired outcome is unreasonable or unrealistic.

If a complaint is received in another way, Corporate Complaints will refer it to the Landlord Complaints Team and they will manage the complaint in line with this policy.

Complaints made via social media

If customers make complaints via social media channels, the complaints will be managed offline to ensure the customer's privacy and confidentiality are maintained and signposted to the correct team.



Verbal complaints

Verbal complaints will be confirmed with the person making the complaint. If we confirm the complaint verbally, we will follow up with a written confirmation.

Once agreed, complaints will be processed in line with this policy.

Anonymous complaints

Anonymous complaints will not be processed in line with this policy. The Landlord Complaints Team will review the content of the complaint and signpost accordingly. This could be forwarding it to the relevant team as a suggestion, to ensure action is taken wherever appropriate and we learn from all our customer feedback or refer to an alternative internal process i.e. whistleblowing policy.

Complaining through a representative

Everyone has the right to appoint someone else to act on their behalf. A representative can be, for example, a parent, a husband, wife, or civil partner, an adult child, a friend, an attorney, advocate, or solicitor, or a local councillor or MP. You can [find details of your local councillors and MP online](#).

The role of the representative is to offer independent support to those who feel they are not being heard and to ensure they are taken seriously and that their rights are respected.

It is also to assist people to access and understand appropriate information and services and help them to make sure they are fully involved in decisions that affect them.

Regardless of the closeness of the relationship between the customer and the person acting on their behalf, we must have consent from the customer before we can correspond with the representative.

If a complaint is made through a representative, we will need to ensure we have consent from the customer. This would usually be written consent to share form from the customer giving the representative permission to act on their behalf, or other legal documentation giving consent such as lasting power of attorney.

When can a complaint be made?

We will consider complaints made within 12 months of the issue becoming apparent to the person making the complaint. We may still look into a complaint made outside of the timescales under exceptional circumstances.

Identifying and accepting a complaint

No matter how complaints are received, Landlord Complaints Team will review the complaints in the first instance

All complaints will be reviewed, considering whether the complaint:

- Falls within the complaint definition, or whether it is an enquiry or service request



- Should be accepted, with reference to the reasons a complaint cannot be considered
- Should be considered under the Landlord complaints policy, or whether it falls under a different policy

If a complaint is valid, it will be logged by the Landlord complaints Team as a Stage One complaint.

We use the same Complaints system as the Corporate Complaints Team so all complaints are recorded in a consistent way.

As a Landlord, we are required to report on our statutory requirements, and we manage the complaints effectively in line with our Data Protection privacy notice.

Complaints Procedure

There is a two stage complaint process.

Stage One

We aim to send the customer an acknowledgement in writing by email, or by post if an email address is not provided, within 5 working days of logging the complaint.

In acknowledging the complaint, we will briefly confirm:

- our understanding of the complaint and the outcomes being sought
- what will happen next
- when the customer can expect a response

In acknowledging the complaint, we will offer the customer the opportunity to discuss their complaint, so we can make sure our understanding of the complaint and the outcome being sought is clear.

If the complaint is unclear, we will seek clarification from the customer before the complaint is logged.

If the complaint is in relation to Building Safety, any immediate safety concern will be raised with the Building Safety Manager and managed in line with this policy. The Fire Safety Group / High-Rise Group may be consulted with, in providing a response at Stage One.

Once a complaint has been logged and acknowledged, it will be passed to the relevant manager to investigate and respond. The quality of investigations and responses will be monitored by the Landlord Complaints Team.

Investigating a complaint

You may be contacted by the complaint investigator by telephone or email to offer you the opportunity to discuss your complaint in more detail and to understand the outcome that you are seeking. Once we have defined the complaint, we will need to gather information and evidence to be able to reach a decision.

We will use this information to decide two things:



- What happened?
- What should have happened?

We will investigate the issue, taking into account the available facts and evidence. We will then make a decision on the matter.

It is not always possible for us to make decisions 'beyond all reasonable doubt'. We will therefore make decisions 'on the balance of probabilities', that is whether something was more likely to have occurred than not.

If we believe we were at fault, we will further consider:

- How the fault disadvantaged the customer
- What we need to do to put things right

We aim to respond to a Stage One complaint within 10 working days of the complaint being logged in line with the Housing Ombudsman Complaint Handling Code.

If we are not able to meet these timescales, we will let the customer know and discuss the reasons we are unable to meet the initial timescale.

Escalation to Stage Two

If the customer is unhappy with the response for Stage One, they can escalate to a Stage Two, and the Landlord Complaints team can discuss the case with the customer if they wish.

The customer is not required to explain the reason for requesting a stage two consideration. We will make reasonable efforts to understand why a customer remains unhappy as part of its stage two response.

A request to escalate a complaint to Stage Two should be made within 30 working days but we may consider requests outside this timescale if there are exceptional circumstances.

We will send the customer an acknowledgement in writing by email, or by post if an email address is not provided, within 5 working days of logging the Stage Two escalation request.

Stage Two

This is the final stage of the complaint's procedure. The complaint will be further considered by either:

- The appropriate director, or
- An appropriate senior manager and reviewed by the director.

We aim to respond to a Stage Two complaint within 20 working days of logging the Stage Two complaint. If we are not able to meet these timescales, we will let the complainant know.

If the complaint is in relation to Building Safety, it will be managed in line with this policy. The HNBS (Housing, Neighbourhood and Building Services) Safety Buildings Group may be consulted with in providing a response at Stage Two.



Housing Ombudsman Service

If a customer with a housing complaint is unhappy, they can seek advice and guidance from the Housing Ombudsman Service at any time.

A customer can approach the ombudsman at any point of the complaints process. The customer will also be directed to the ombudsman should they remain unhappy with the Stage one or Two response.

- Online complaint form on [the Housing Ombudsman Service website](#)
- Telephone: 0300 111 3000

This policy is in line with the [Housing Ombudsman's Complaint Handling Code](#)

Communicating a decision and putting things right

We will respond to complaints in writing. Our decision letters will clearly explain:

- Our understanding of the complaint, agreed at the beginning of the process
- The steps we have taken to investigate the complaint
- The information and evidence we have taken into account
- Our decision and our reasons for reaching that decision
- Acknowledging and apologising where something has gone wrong, when and how we will put it right, considering the possible resolutions
- Where appropriate, any changes we will make to processes and policies following the complaint
- How the customer can challenge our decision if they disagree

Complaints can be resolved in a number of ways. We will seek to ensure remedies offered reflects the extent of any and all service failures, and the level of detriment caused to the customer as a result. We will refer to the Housing Ombudsman guidance on remedies, they may include:

- Acknowledging when things have gone wrong
- Providing an explanation, assistance or reasons
- Apologising
- Taking action if there has been a delay
- Reconsidering or changing a decision
- Amending a record
- Changing policies, procedures or practices
- Providing a financial remedy



Any issues identified as a result of complaints will be put right as quickly as possible, we will not wait until the complaints process is concluded.

When responding to complaints we will consider whether the customer needs support to understand the outcome and will offer alternatives, including meetings to discuss, where appropriate.

Complaints about Portsmouth City Council Contractors

We contract organisations to provide commissioned services on our behalf. If a complaint is made about a service provided by a contractor or third party, it should be managed in line with this policy. They are expected to comply with the policy, including providing information to us as requested and provide assistance with further investigations as appropriate.

If we receive a complaint that relates to a service provided by one of the council's contractors, we will provide a response.

A contractor who receives a complaint is expected to notify the council of the complaint via the Landlord Complaints Team. Notifications should be made in line with the timescales in the policy, and the contractor should provide a notification initially, at any escalation stage and at conclusion, so the complaint can be logged and monitored.

Persistent complaints and unreasonable behaviour from complainants

We expect complaints to be made in a reasonable way so we can investigate. This means communicating with us in a way that is reasonable, both in terms of the nature and frequency of contact. If this is not followed, then this will be managed in line with the council's Unreasonable Customer Behaviour Policy.

Comments and compliments

We want to provide the best service we can. To help us do this we would like to hear your views on the services that you use. If you are pleased with a member of staff or service, please let us know.

We record and manage comments and compliments in the same way as complaints. We will report on these to customers in the same way as we do with complaints.

Monitoring and reviewing our service

We monitor and analyse the types of complaints / compliments we receive and the way they have been handled and make this available for customers. The monitoring and analysis we do helps us to ensure that our policy is fit for purpose, our process is being managed in a fair



and consistent manner, our staff training is appropriate, we deliver against our resolution promises, and we are fulfilling our statutory duties as a Landlord.

It is important to us that we are compliant, accountable and transparent in our complaint process. We continually learn and ensure that staff are supported and engaged in the complaints process and has a positive impact of future service delivery.

Self-assessment

We must carry out an annual self-assessment against the Housing Ombudsman Complaints Handling Code to ensure our complaint handling remains in line with its requirements.

We must carry out a self-assessment following a significant restructure and/or change in procedures.

Following each self-assessment, we must:

- Report the outcome of our self-assessment to our elected members
- Publish the outcome of our assessment on our website and make accessible to residents
- Include the self-assessment in our annual report section on complaints handling performance

We are required to repeat the self-assessment following a formal investigation with the Housing Ombudsman if there are significant concerns over our complaint handling.

Your voice

We will never ignore complaints, and we always want to hear your ideas, comments and compliments.

We will seek feedback in relation to our complaints process as part of a drive to encourage a positive complaint and learning culture.

We will use data to understand trends in complaints to inform us of areas to focus and improve on.

We provide tenants a wide range of meaningful opportunities to engage, influence and scrutinise the Landlord Strategies, policies and services, to include participation in regular resident meetings and give feedback on services and policies.

If you would like to be included in future resident engagement focus groups and would like to know how to get involved, please contact us for more information:

You can contact our team by:

- Email: housing.engagement@portsmouthcc.gov.uk
- Phone: 02392 834835
- Website: visit the [Resident engagement and community resources on our website](#)



What have we done to make sure this Policy is fair?

We completed an Integrated Impact Assessment (IIA) to consider the positive and negative impacts this Policy may have on people with protected characteristics under the [Equality Act 2010](#). This Policy should have direct and positive equality and diversity impacts.

Regulation and legislation

We recognise the variety of legislation, and we will continue to monitor relevant legal guidance. The list below reflects some of the existing legal framework and relevant publications:

- [Housing Ombudsman's Complaint Handling Code](#)
- [Housing and Regeneration Act 2008](#)
- [UK General Data Protection Regulation \(UK GDPR\)](#)
- [Data Protection Act 2018](#).
- [Equality Act 2010](#).
- [Housing Act 1996](#)

Related documents

This policy should be read in conjunction with:

- Portsmouth Homes Landlord Policies, Strategies and Reports - [Housing policies, strategies and privacy notices](#)
- Tenancy Agreement / Leasehold Agreement
- [Corporate complaints policy](#)
- [Unreasonable customer behaviour policy](#)

How to feedback

If you have any questions around the policy or would like to know more about its application, please contact the relevant service in the first instance.

You can get this policy in large print, braille, audio or in another language by contacting your Housing Office. More information is available [translation, interpreting and audio information](#).



Compliments

To help us provide the best service we can. We would like to hear customer views on the services that they use. If the customer is pleased with a member of staff or service, please let us know.

- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk

Complaints

If a customer is unhappy, they can refer to our Landlord Complaints Policy.

- Online complaint form at [Make a housing complaint](#)
- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk
- [Landlord Complaints Policy](#)

Housing Ombudsman Service

If a customer is unhappy, they can contact the Housing Ombudsman Service for advice and guidance at any time.

- Online complaint form on [the Housing Ombudsman Service website](#)
- Telephone: 0300 111 3000
- For more information, visit [Housing Ombudsman's Complaint Handling Code](#)

Building Safety Regulator

If a customer is unhappy, they can follow the Landlord complaints process or, they can [Contact the Building Safety Regulator - GOV.UK \(www.gov.uk\)](#)

Energy Ombudsman

If a customer is unhappy and has an energy complaint, which relates to any issues with your energy supplier, energy broker, network operator, green deal or heat network supplier.

If a customer is unhappy, they can contact the supplier or the Energy Ombudsman or Citizens advice.

- [Contact Us | Energy Ombudsman](#)
- Telephone: 0330 440 1624
- E-mail: enquiry@energyombudsman.org



