

## NCHP017 Complaints Policy

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## 1. Our Approach to Customer Satisfaction

Every Customer is important to us. We aim to provide our services right first time. At every point of contact with a customer our approach will always be to listen, advise and make sure we are finding solutions. Every employee is a representative of the organisation and will be an advocate in ensuring the best customer experience is provided. It is our goal to resolve any queries at the first point of contact wherever possible without the need for the customer to raise a complaint formally.

At all times before any formal complaint is raised by the customer, we will continue to work closely with them to resolve the cause of any dissatisfaction and reach an agreed outcome swiftly. Only when this cannot be done will we use our formal two stage process. The formal process is also geared towards resolving any issue at the earliest opportunity, by listening to the customer and with clearly identifying the NCC Housing Services staff who will take ownership of the issue and working to resolve it and provide a clear outcome.

## 2. What is a Complaint

We receive lots of different enquiries on a regular basis around the many services we offer customers. Complaints arise when something has gone wrong or where we haven't done something we should have done or undertaken something in the right way. This includes where we have failed in delivering a quality service in line with our service standards. For the purposes of NCHS complaint handling, a complaint will be defined as:

*“An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents which we have been unable to resolve to tenants satisfaction.”*

## 3. Who can make a complaint?

A complaint can be made by any person or group of people affected by an activity or service provided including:

- customers including tenants, services users or leaseholders
- housing applicants
- advocates of the complainant such as friends, relatives or other representatives

- these parties can represent the customer at each and every stage of the process with prior written consent from the complainant.

## 4. Exceptions and exclusions

We will not treat the following as a complaint:

- requests for a service (e.g., the first report of a repair)
- neighbour disputes (but we will direct residents to the relevant procedure)
- request for information or explanation/disagreement with company policy or practice
- any issue which has separate provision for appeal (whether this appeal be statutory or not).
- review of suitability of emergency temporary accommodation
- review of suitability of permanent accommodation following a homelessness application
- an issue over twelve months old that has not previously been raised unless there are any special circumstances in relation to this

- issues which are outside the responsibility of Housing Services , whether relating to a Nottingham City Council service or another agency
- where legal proceedings have been started
- the same issue has previously been investigated and closed.

We will make it clear where we are unable to accept a complaint and provide a full explanation why this is the case. At the same time, we will advise of other possible solutions or information that will help guide customers to take the next steps if they remain dissatisfied and which is the correct organisation to approach. In some cases, this will be the Housing Ombudsman.

## **5. Making a complaint**

Our aim is to make sure that there is a clear and simple process to make a complaint.

We will provide information on how to do this through regular communication with our customer base and provide information on our website and social media platforms.

- Complaints can be made in a variety of ways:
- in writing to NCC Housing Services, Customer Relations Team, Loxley House Station Street Nottingham NG2 3NJ
- email [feedback@nottinghamcity.gov.uk](mailto:feedback@nottinghamcity.gov.uk)
- online at [www.nottinghamcity.gov.uk](http://www.nottinghamcity.gov.uk)
- by phoning 0115 9157 333
- to a colleague in person or by phone
- via Facebook or Twitter.

## **6. How we handle complaints**

For any NCC Housing Services contact with customers the focus will be on discussing the issues raised by the customer from the very beginning and working with them to find an agreed resolution before it is escalated to a formal complaint.

Where a resolution cannot be agreed or where a service has not been delivered, we have a dedicated Customer Relations Team for handling complaints and who are available to support customers with their enquiries. Help is available to make a complaint, through the Customer Relations Team on 0115 915 7333 or email [feedback@nottinghamcity.gov.uk](mailto:feedback@nottinghamcity.gov.uk)

In handling every complaint:

- we will keep in regular contact with the customer and agree on the best way to do this with them.
- any information and response can be formatted to accommodate individual needs and requests for this will be clearly flagged
- all information and documentation will be clearly accessible and downloadable from website and sent on request
- regular publicity around how to complain will be presented through use of leaflets, campaigns, newsletters articles, social media platforms and performance reporting to customers and stakeholders
- clear signposting and communication around role of Housing Ombudsman will be included in all correspondence and links to relevant website areas

- our Reasonable Adjustments Policy will be designed to support maximum access to the complaints process.

## **7. Complaint process**

To accompany the Complaints Policy, we have produced a Complaints Procedure which clearly sets out the timescales and details for each stage and the persons responsible for handling the complaint.

Wherever possible, before any formal complaint is logged with the customer, we will continue to work with them to resolve the cause of dissatisfaction and reach an agreed outcome. When this cannot be done there are two formal stages which are geared towards resolving the issue at the earliest opportunity, listening to the customer/taking ownership of the issues raised and working to resolve and provide a clear outcome.

These are set out below.

### **Stage 1 – Resolution (10 working days)**

Once we have received a formal complaint an acknowledgement letter/email will be sent by the Customer Resolution Team which outlines details of the complaint and issue, what the customer would like to happen to resolve the issue, the name of the nominated Resolution Officer handling the complaint alongside a timescale for response.

Those cases which fall within Health and Safety, Fire Safety and Building Safety categories and present an immediate risk to the safety of our customers, staff or the general public, will be prioritised.

The nominated Resolution Officer will contact the customer to discuss the issue raised and seek to resolve the complaint. This will be followed up in writing with a formal response will be sent to the customer within 10 working days of the issue being reported.

If a longer time period is required to carry out the investigation and respond, a further period of up to 10 working days can be agreed. The customer will be advised of this in writing and the reasons for this provided. Where we are unable to provide the outcome, the customer is seeking, prior to the written response being sent the Resolution Officer will attempt to contact the customer to explain this and the contents of the letter to allow them to provide feedback where necessary. The response will also inform the complainant how they can request a Stage 2 review if they are unhappy with the outcome.

### **Stage 2 – Review of Complaint (20 working days)**

If the customer is unhappy with the response received to their complaint, they can request escalation to a Stage 2 Review. The customer should provide details of their reason for requesting escalation and specify the outcome they are seeking. The Customer Relations Team will review the request and determine whether there are sufficient grounds for an escalation to proceed. They will write to the customer to either acknowledge escalation to Stage 2 or provide their reasons for refusal and provide the customer with the opportunity to respond with any further points which will then be considered.

The timescale for a full review will be up to 20 working days from the date of being advised of the escalation to this stage. If there is a need to extend this timescale, the customer will be advised of this with reasons why and an extension of up to a further 20 working days has been agreed.

All Stage 2 complaints will be reviewed by a senior manager /Director and member of the Customer Relations Team.

Stage 2 is the final stage in the NCCHS Complaints process and clear guidance on the next steps if required will be provided as part of the final response, including contact details for the Ombudsman services.

## **8. Ombudsman services and support - further advice**

Throughout the complaints process, information will be provided about how the Ombudsman service can support and provide information to assist with complaints.

## **9. Remedies**

As part of the investigation, we will consider what is required to fix the complaint satisfactorily. Where appropriate, we will apologise for any service failures and seek a satisfactory remedy. There are several remedies which can be discussed and considered in each case including:

- prioritising works for completion
- decoration points to support with any costs incurred to make good/NCCHS to carry out works to make good and reinstate areas
- rent adjustment for period during period to resolve the issue
- discretionary payment and compensation. NCCHS have a Policy which assesses any claims where a loss or financial hardship has been experienced.
- insurance claims to be processed through NCC Risk and Insurance Team
- appointing an independent surveyor to help resolve contentious property related complaints.

## **10. Persistent, vexatious or abusive complaints**

A vexatious complaint arises where there are no or insufficient grounds for a complaint to be made. Before a complaint is considered vexatious the Customer Relations Team must be satisfied that:

- all aspects of the relationship with the customer, including any vulnerabilities, are known and understood
- the rest of the complaints procedure has been followed as far as is possible; and
- no material element of a complaint that NCH is aware of has been overlooked or inadequately addressed.
- that maintaining dialogue with the customer in the normal way will serve no useful purpose.

Persistent, vexatious or abusive complaints may apply where, during previous or current contact with NCCHS, the complainant has met one or more of the following criteria:

- they persist in pursuing the complaint where the procedure has been fully and properly implemented and exhausted
- they change the substance of their complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions (however, care must be taken not to overlook new issues which are different from the original complaint. These may need to be addressed as separate complaints).

- they are unwilling to accept factual documented evidence or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed
- they do not identify precise issues they require to be investigated and/or do not accept that the concerns are outside of NCCHS's remit
- they focus on the trivial, which is out of proportion to its significance and continue to focus on this point.
- they threaten/use physical violence towards staff
- they make an excessive number of contacts, placing unreasonable demands upon staff
- they harass or are personally abusive or aggressive towards staff
- they make unauthorised recording(s) of meeting(s) or face to face/telephone conversation(s) without the prior knowledge or consent of the parties involved.

### Options for handling a persistent, vexatious or abusive complaint

The following options will be considered in handling persistent, vexatious or abusive complaints:

- securing a signed 'agreement' with the complainant. This should set out a code of behaviour for the parties involved if NCCHS is to continue to process the complaint. If the agreed terms are contravened, consideration would be given to
- implementing other actions as described below
- support for customers where there are identified or heightened mental health issues, through engagement with teams within the organisation and other relevant services.
- restrict contact with the complainant to e.g., telephone, e-mail or face to face contact.
- notify the complainant in writing that the Customer Relations Team has responded fully to the points raised and has tried to resolve the complaint; and that there is nothing to add and continuing contact on the matter would serve no
- real purpose. Advise that further correspondence will not be responded to.
- in extreme circumstances inform the complainant that NCCHS reserves the right to pass unreasonable, vexatious or abusive complaints to its solicitors
- temporarily suspend all contact with the complainant or investigation of a complaint whilst seeking legal advice or guidance
- the Customer Relations Team will implement the agreed action and will notify the complainant in writing of the reasons why the complaint has been classified as habitual, persistent vexatious and/or abusive and of the action to be taken.

Customers who engage in verbally abusive or threatening behaviour against NCCHS employees will be subject to investigation which could ultimately be considered a breach of tenancy.

### Withdrawing persistent, vexatious or abusive complaint status

A persistent, vexatious or abusive complaint may be considered fully as a complaint where the complainant complies with the requirements requested of them.

## 11. Other information

### Meeting customers' individual needs

Copies of all documents can be downloaded or made available upon customer request.

A complaints leaflet providing an easy guide to the complaints process will be available.

Consideration of customer's individual needs will be taken into account and accommodated through provision of translation and interpretation services as required.

### Complaints involving contractor partners

Complaints about contractors who have been appointed to carry out services by NCCHS are our responsibility and must be owned and handled by NCCHS according to the complaints process. Customers should not be referred to the contractor partner unless there is a stated and specific process in place to do so.

### Feedback and compliments

When we receive positive customer feedback, this is acknowledged through logging compliments and sharing comments with the team or individual concerned. This is also the case for any feedback and comments received around service improvement, existing policies and customer experience.

## 12. MP and Elected Members casework

In the majority of cases, MP and member enquiries constitute either service requests or requests for information on behalf of the constituent, rather than complaints. In these cases, they will be dealt with through the normal member enquiry system or parliamentary office. The Customer Relations Team will receive and monitor all Member matters and determine whether the matter is an enquiry or relates to a new/existing complaint.

Enquiries received will be sent to the relevant service area for response and update.

For matters requiring a new complaint to be raised, the complaint process will be followed, including appropriate communication directly with the customer in addition to providing all relevant updates to the Members via the Members Casework system or to MPs directly to their office.

## 13. Performance monitoring - compliments and complaints

Compliments and complaints performance management and monitoring will be handled in the following ways:

- a quarterly compliments and complaints performance report will be produced for Portfolio Holder for Housing and Senior Leadership
- an Annual Complaints Report which will be published and discussed by the relevant senior officers and Member Responsible for Complaints/Portfolio Holder
- complaints will be published as part of our Annual Report to tenants through our website
- regular performance will be produced internally for all service areas to identify real time trends and actions and provide insight on learning from complaints
- we will pass on and recognise compliments made to staff

- any learning and changes to service improvement will be shared with customers to demonstrate a tangible link with learning and feedback from complaints demonstrating that how we listen and work with customers is at the heart of everything we work towards
- regular features and information will be published through all media channels showcasing the importance of complaints and the information used from them to help improve NCCHS customers' homes, services and neighbourhoods.

At the end of the complaint process customers may receive a satisfaction survey regarding complaint handling and asking how the process may be improved. This information will be used for benchmarking and service improvement purposes.

#### **14. Legislation and Regulation**

- Data Protection Act 2018
- Equality Act 2010
- Localism Act 2011
- The Regulator of Social Housing
- General Data Protection Regulation
- Housing Ombudsman Service-Complaint Handling Guide and Code