

## Complaints Procedure for Residents

### Introduction

ccha expect a high standard of customer care to be applied when dealing with complaints at all times.

ccha have had regard to the Housing Ombudsman Complaint Handling Code, (**The Code**), published February 2024, in the preparation of this procedure, seeking to meet the standards of the code which is now a statutory requirement. Details can be found here:

<https://www.housing-ombudsman.org.uk>

We want to make it easy for residents to raise concerns. An explanatory leaflet titled "*How to Make a Complaint*" is available to guide you through the process. It provides brief details on how to make a complaint. If you would like more detailed information, our full **Complaints Policy** is also available on our website and can be sent to you upon request.

We are committed to ensuring our complaints process is accessible. The policy, procedure and leaflet can be provided in:

- Large print
- Braille
- Translations into other languages
- Other formats as needed to meet individual accessibility requirements.

Please contact the Communications Team to arrange the appropriate required format by email at [citeam@ccha.biz](mailto:citeam@ccha.biz) or call 0208 680 7532.

You can make a complaint directly or ask a representative to act on your behalf. If you are using a representative, we will not acknowledge the complaint until we have received permission to communicate with them regarding the matter.

A complaint submitted via a third party or representative will be handled in line with our complaints policy.

Our complaint definitions are detailed in the relevant section below. ccha record all complaints to identify where we have gone wrong, learn from our experience and seek to put things right by implementing improvements to our working practices.

## Compliance and learning from complaints

ccha is focused on creating a positive learning culture and identifying opportunities for continuous learning and improving our standard of service.

In response to the Complaint Handling Code, we have:

1. Appointed a Board member to lead in supporting a positive complaints culture.
2. Completed annual self-assessments against the code to ensure we are handling complaints in line with requirements. This document is reviewed by our Board and published on our website.
3. Completed an Annual Complaint Performance and Service Improvement Report which is published annually on our website.
4. Collated our performance on complaints in accordance with the consumer standards. These figures are published quarterly on our website.
5. Established a ccha learning forum to learn from complaints and action issues identified.
6. Developed an advanced staff training programme to enhance our delivery of a good standard of customer service.
7. Regular reporting to Leadership and Board on key complaints, trends and learning.

## Definitions

### Complaint types

A **Service request** is a request from a resident requiring us to take action to put something right. For example, a resident may ask for a repair to their home or wish to report an incident of anti-social behaviour. These are not a complaint and will be dealt with through the relevant policy or procedure. Service requests must be recorded, monitored and reviewed regularly. A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. All efforts to resolve the service request must not stop if the resident complains.

The Housing Ombudsman has recommended a universal definition of a formal complaint which ccha have adopted as their standard.

**A formal complaint is:**

***“An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by ccha, our staff or those acting on our behalf, affecting an individual resident or group of residents”***

A **complaint** is distinct from an enquiry or a service request. Importantly, a resident does not need to use the word “*complaint*” for their concern to be treated as one. Any expression of dissatisfaction—whether verbal or written—should be recognised and the resident given the opportunity to raise a formal complaint.

**IO** is an abbreviation for “Investigating Officer”.

**Investigating Officer** is the member of staff responsible for the case whilst it progresses throughout the complaints process.

**CIT** is the abbreviation for the Customer Investment Team

**CM** is the abbreviation for our Customer Manager

**SCIO** is the abbreviation for our Senior Customer Investment Officer who is the lead ‘complaints officer’ as referred to in the complaint handling Code.

**CO** is the abbreviation for our Complaints Officer who administers the cases and can assist with complaint responses.

**The Code** means the Housing Ombudsman Complaint Handling Code

**ICP** is the internal complaints process.

### **Reference documents**

Residents should be aware that documents and guidance can be made available in **acceptable formats**. If you require help, please contact the Customer Investment Team for assistance and refer to the leaflet ‘**Your communication Needs**’.

### **Scope of Complaint**

This policy applies to any complainant making a complaint against us or our contractors.

When a complainant contacts us because they are dissatisfied with something we have or have not done we will consider this to be a complaint. A complaint could include one or more of the following unsolved problems:

- Dissatisfied with a delay in providing a service.
- Dissatisfied because we have failed or refused to provide a service.
- Dissatisfied with the poor quality of service received or a mistake that has been made.
- Dissatisfied because we have removed or withdrawn a service.
- Dissatisfied with a staff member’s behaviour.
- Dissatisfied because the complainant has been unreasonably disadvantaged by the inappropriate application of a policy.
- Dissatisfied because we have unfairly discriminated against a complainant.

Where residents raise additional complaints during the investigation, these will be incorporated into the stage one response if they are relevant, and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint will be logged as a new complaint.

### **Declining to accept or escalate a complaint**

There may be a reason for ccha declining to process a complaint for example:

- The issue giving rise to the complaint occurred over 12 months ago or 12 months have passed since the complainant became aware of the matter
- Legal proceedings have started i.e., the claim has been filed at court.
- The complaint has already exhausted the complaints process.

Where we decline to escalate a complaint, ccha will clearly communicate in writing its reasons for not escalating to you and inform you of your right to approach the Ombudsman about its decision.

### **Learning from complaints**

ccha is focused on creating a positive learning culture and will seek to identify opportunities to improve our standard of service. All learning will be discussed and shared regularly through staff updates and quarterly forums.

On the completion of a complaint ccha will be in touch to seek your feedback on how we handled your complaint. Your input is very important, and we hope you use this opportunity to feedback your comments and help us improve our service delivery.

### **Putting things right**

ccha wish to acknowledge when something has gone wrong and will set out the actions taken, or that we intend to take to put things right.

These can include:

- acknowledging where 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
- providing a financial remedy

- changing policies, procedures or practices.

Any remedy offered will reflect the extent of any service failures and the level of detriment caused to the resident as a result.

Factors that will be considered when formulating a remedy may include, but are not limited to, the:

- length of time that a situation has been ongoing
- frequency with which something has occurred
- severity of any service failure or omission
- number of different failures
- cumulative impact on the complainant
- complainant's particular circumstances or vulnerabilities.

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

## Timeframe for responses

### Formal complaint

- Stage 1 logged and acknowledged within **5 working days** of receipt of complaint.
- Stage 1 response within **10 working days**, which will start the day after the acknowledgement of the complaint.
- Stage 1 holding response may be sent within the **initial 10 working days** including revised date for formal response not to **exceed a further 10 working days** without good reason.
- Stage 1 if **more than 20 working days** is required then any extension of time must be by mutual agreement with the complainant.
- Stage 2 logged and acknowledged within **5 working days** of request to escalate.
- Stage 2 response within **20 working days** of request to escalate.
- Stage 2 holding response may be sent within **initial 20 working days period**. Delayed response should not **exceed a further 20 working days** without good reason.
- Stage 2 if **more than 20 working days** is required then any extension of time must be by mutual agreement with the complainant.
- Referral to Housing Ombudsman after Stage 2 closure

## **Our data system**

Progress on any type of complaint will be recorded on our data management system Cx. All complaints will be logged and tracked in accordance with our set standard of performance criteria set out above.

## **Staff conduct**

We expect the highest standard of behaviour from our staff and for all staff to be aware of how their behaviour can affect others. To achieve this standard, it is the general expectation that all members of staff, including others who may be working on our behalf apply effective behaviour when handling complaints. This will include:

- Being professional and acting within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing
- Listening effectively and being honest with our customers
- Communicating regularly with customers and involving them in solutions
- Taking ownership of complaints and dealing with them in accordance with the Policy
- Collaborating with colleagues towards resolving a complaint

Staff should always treat others with courtesy, respect and consideration and conduct themselves professionally when interacting with our residents or a complainant.

If you feel the behaviour of a member of staff is unacceptable and report this, we will instigate the formal complaints process.

## **Communication with residents and third-party representatives**

When communicating with residents and third-party representatives' staff **should**:

- Use appropriate plain language.
- Address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.
- At the completion of each stage of the complaints process contact the resident advising them of the following:
  - the complaint stage
  - the outcome of the complaint
  - the reasons for any decisions made
  - the details of any remedy offered to put things right
  - details of any outstanding actions
  - details of how to escalate the matter if dissatisfied.

- Adhere to any arrangements agreed with residents in terms of frequency and method of communication.
- Keep residents regularly updated and informed even where there is no new information to provide.
- Give the resident fair opportunity to set out their position and comment on any adverse findings before a final decision is made.

Where an approved representative is acting on behalf of the complainant ccha will act consistently within the policy and procedure and act as if the representative is the complainant.

### **Social Media communication**

ccha will regularly promote and update all our media channels to ensure residents are made aware of their right to complain. This will be done as a minimum every 3 months (quarterly) through our website and our magazine.

ccha will manage communications through social media and will:

- Check social media each working day.
- If sensitive information has been included, the comment will be deleted and moved to private message for investigation.

### **Legal proceedings**

If the complainant instigates legal proceedings ccha will act in accordance with the housing ombudsman code and communicate appropriately with the complainant confirming on what basis they are communicating e.g., under the internal complaints process (ICP).

ccha will adopt The Housing Ombudsman's view that a matter does not become 'legal' until proceedings have been 'issued'. Even when the initiating correspondence has been received, ccha will continue their internal complaints process (ICP) or address the issue itself.

ccha will clearly communicate on what basis they are handling correspondence either under the ICP or the protocol or both.

## **Insurance claims**

Where there is a simultaneous complaint and insurance claim being actioned, ccha will continue to act on all aspects of the complaint within their control and responsibility and, where possible, resolve the complaint. The complaint will not be unduly delayed because of the existence of an insurance claim.

## **ccha roles**

### **Board member**

The Chair of the Remuneration and Nomination Committee is appointed to have lead responsibility for complaints to support a positive complaint handling culture.

The role is responsible for ensuring the Board receives regular information on complaints that provides insight to the Board on our complaint handling performance.

### **Director**

The Director of Customers is the senior lead for complaints handling and responsible for ensuring the Leadership Team regularly assess themes and complaint trends to identify risks and areas for improvement and for regular reporting to the Board.

### **Customer Investment Team (CIT)**

*Comprises:*

- Customers Manager (CM)
- Senior Customer Investment Officer (SCIO)
- Complaints Officer (CO)

The team are primarily responsible for overseeing the formal complaints administration process, maintaining our data management system and monitoring performance.

#### **1. Customer Manager (CM)**

The CM has overall charge of the formal complaints process. The SCIO and CO reports directly to the CM.

#### **2. Senior Customer Investment Officer (SCIO)**

The role of the SCIO is to manage the complaints team and facilitate a smooth process from the time a formal complaint is received to its conclusion. The Officer has a broad role across all teams and is responsible for identifying potential complaints; facilitating and managing the formal complaints process and escalating the issue if required. The SCIO is the 'Complaints Officer' as identified in The Code.

#### **3. Complaints Officer (CO)**

The CO is primarily responsible for recording the formal complaint over the telephone and administering the online process. This involves logging the complaint, monitoring progress and recording all information.

#### 4. Investigating Officer (IO)

The IO is allocated by CIT dependent on the nature and location of the complaint. It will be the IO's responsibility to take ownership of the matter; liaise directly with the complainant and regularly report progress. The role is to primarily arbitrate on the dispute and provide a resolution and to:

- Act independently and impartially
- Act sensitively, fairly and with authority
- Access staff at all levels to facilitate a quick resolution
- Consider and act on any conflict of interest identified
- Consider all information and evidence carefully
- Keep the complaint confidential as far as possible
- Identify and action deliverable and realistic remedies

The IO is responsible for retaining oversight of the complaints case until it is properly concluded. Outstanding actions will be tracked and actioned expeditiously with regular updates provided to the resident.

The IO must communicate both verbally and in writing to the complainant in a timely and satisfactory manner.

The staff member appointed to investigate **Stage 1** of the process would be the appropriate team Manager or, if delegated by the Manager, a Senior Officer or the Complaints Officer.

An appropriate Director will be appointed to investigate **Stage 2**. This must always be a different person from the Stage 1 Complaint.

#### Complaint against staff

In the event of a complaint relating to a member of staff the Line Manager will be appointed the Investigating Officer at **Stage 1**.

A Director may become involved at **Stage 1** if the matter relates to a member of staff and there is a conflict of interest or a need for confidentiality.

Where appropriate, the Line Manager may liaise with Human Resources in relation to staff matters.

As part of the investigation, the Line Manager will give the staff member an opportunity to set out their position and discuss any findings with them prior to the response being issued.

### **Complaints against contractors**

This also applies to members of staff working for our contractors. Complaints will be referred to the IO acting for the relevant team and recorded as a formal complaint.

### **Compensation**

The outcome of some complaints involves the payment of compensation.

The IO will refer to our Compensation Policy. This policy provides for different levels of compensation with some fixed awards for missed appointments and late responses which should be applied as part of the process when considering a complaint.

### **What happens when a complaint is received?**

A complaint can be received by any member of staff who should listen, ask and understand what the complainant wants from making the complaint. For example:

- An apology
- An action, service or correction
- An explanation
- Compensation
- Nothing – just wanted to highlight issue to ccha.

Depending on the nature of the issue, it may be considered as a service request.

### **Service request**

A **Service request** is a request from a resident to their landlord asking us to do something to their home or tenancy or requiring action to be taken to put something right. For example, a resident may ask for a repair to their home or wish to report an incident of anti-social behaviour. These are not a complaint and will be dealt with through the relevant policy or procedure. Service requests must be recorded, monitored and reviewed regularly. A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. All efforts to resolve the service request must not stop if the resident complains.

All service requests are the responsibility of the team managing the request. If the matter is escalated to a formal complaint, then this becomes the responsibility of CIT to log and manage through the process.

## Formal complaint

The case will be referred to CIT who will appoint an Investigating Officer.

There is then a staged process to follow. At each stage the assigned Officer should update progress with the complainant.

### Stage 1

1. CIT will acknowledge in writing by letter within 5 working days and include our understanding of the scope of the issue to be investigated.
2. Where a representative is acting on behalf of the complainant Stage 1 timescales for handling complaints start from the point that consent is received from the complainant.
3. If the complainant disagrees with the content of the acknowledgement letter, the letter will be revised and re-acknowledged, and the investigation will recommence from the date of revision.
4. CIT will record the case and delegate to an appropriate Investigating Officer.
5. The investigation will look through the facts of the case using our systems and files as well as discussing with the complainant and any other relevant parties such as our contractors.
6. A full written response giving clear reasons for the outcome will be provided within 10 working days from the day after the complaint acknowledgement is issued.
7. The response letter will state whether the complaint has been **upheld, not upheld or partially upheld**.
8. If there is a good reason for a delay, a holding response which includes the Housing Ombudsman details will be issued with an explanation of what is happening and the expected timescales for sending a formal response.
9. Any delay should not exceed a further 10 working days without good reason.
10. If a repair or works are to be completed as part of the complaint outcome but will take longer than 10 working days, the complaint response letter will be sent within the 10 working days, advising when the works will be due for completion and the final outcome of the complaint investigation.

11. Where compensation is offered and accepted by the complainant as part of the resolution, a compensation acceptance slip will be sent to the complainant with our response letter.
12. The compensation payment will be processed once we are in receipt of the complainant written acceptance of the offer.
13. Our Stage 1 response offers the complainant the option of escalating to Stage 2 of our process if they are not satisfied with the outcome.
14. If an extension is required beyond 20 working days, then this will be undertaken with the complainant's mutual agreement.
15. Where an extension is given, complainants will be provided with the contact details of the Ombudsman.

## **Stage 2**

Follows the same procedure as Stage 1. The only differences are:

1. A new Investigating Officer at Director level will be appointed.
2. A full response will be provided within 20 working days.
3. Any delay should not exceed a further 20 working days without good reason.
4. Stage 2 completes the ccha process.
5. On completion of Stage 2 the complainant has the option to escalate to the Housing Ombudsman should they remain dissatisfied with ccha's final response.

## **Managing Extended Complaint Timescales**

If a Stage 1 or Stage 2 complaint response is expected to exceed the extended timescales set out in the Complaint Handling Code, staff must proactively engage with the resident to agree on suitable intervals for providing updates on the complaint.

### **The Housing Ombudsman**

For general advice, complaints and escalations, residents are able to access the Housing Ombudsman Service in the following ways:

**Telephone:** 0300 111 3000

**Email:** [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

**On-line form:** <https://www.housing-ombudsman.org.uk/residents/make-a-complaint/>

**Complaints correspondence in writing:** Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET

The Housing Ombudsman has now issued a new Complaint Handling Code details of which can be found here:

[Complaint Handling Code - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk/complaint-handling-code)

### **The Financial Ombudsman**

For complaints relating to financial matters residents can access the Financial Ombudsman Service in the following ways:

**Telephone:** 0800 023 4567

**Email:** [complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)

**Complaints correspondence in writing:** The Financial Ombudsman Service, Exchange Tower, London E14 9SR

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