

# COMPLAINTS PROCEDURE

Housing Services



[www.rotherham.gov.uk](http://www.rotherham.gov.uk)

## HOW TO CONTACT US

If you have a complaint, suggestion or compliment you can contact us in a number of ways:

**Via the online form** on the Council website: [www.rotherham.gov.uk/complaints](http://www.rotherham.gov.uk/complaints)

**Email:** [complaints@rotherham.gov.uk](mailto:complaints@rotherham.gov.uk)

**By post:** Using a complaint form or by letter.

No postage is required for posting forms or letters to us, as you may use our freepost address below.

FREEPOST RTCT-XKLS-ZHAZ

The Complaints Manager

Rotherham Metropolitan Borough Council

Riverside House

Main Street

Rotherham

S60 1AE

**By telephone:** 01709 382121. The customer service representative handing your call will direct you to the appropriate department.

**By text:** 07860 021 447

**In person:** At one of our Customer Service Centres or any Council reception point.

## YOUR COMPLAINTS

If we have failed to provide a service to you or if you are dissatisfied with the service that you have received then please tell us. In most cases we hope to be able to resolve these with the member of staff you have been dealing with and will use your feedback to help us make improvements.

Where this is not possible we have a formal complaints process to fully consider your complaint.

## THE COMPLAINTS PROCEDURE

### Who can complain?

Anyone who feels that they have had a poor service from us or from someone providing the service for us and have tried to get the problem solved by speaking to someone in the relevant department.

If you complain to us but feel you can't give us your name, we will not deal with your complaint under the complaints procedure. However, we will ensure steps are taken to deal with the issue.

### What is a complaint?

You make a complaint when you are not happy with the standard of service you have had from us. This will affect you or your family and friends and will need a particular response from us.

We will not treat certain issues as complaints and where this is the case, we will tell you. For example

- If you ask us for a service – such as reporting a repair or anti- social behaviour
- If you ask us for information or an explanation of Council policy or practice – such as a request for information regarding tenant alterations
- Any issue that is being dealt with in court – such as where we are pursuing legal action against someone for rent arrears
- Any issue that is subject to a current insurance claim
- Any issue which is agreed Council Policy, where the policy has been followed

## What happens then?

You can make an official complaint in one of the ways described on page 2. We will treat your complaint as confidential at all times, and will deal with it as follows:

### **Stage 1: Response from the line manager or service manager.**

- We will acknowledge receipt of your complaint within three working days of receiving it
- You will receive a full response within ten working days and where this is not possible, we will send you a letter explaining reasons for the delay and give a date when you can expect a full response

### **Stage 2: Investigation by senior independent officer**

- We will acknowledge receipt of your letter within three working days of receiving it
- We will give you the name and phone number of the complaints officer who is investigating your complaint. This will not be the same person who has investigated stage 1 of your complaint and will work independently of the service area involved in your complaint
- The officer will contact you to arrange an interview so they can talk to you about your complaint and find out what you think we should do to put it right
- The officer will investigate your complaint in line with our 'Good Practice Guidelines for Investigating Officers' and write a report on their findings
- They will send you the report to the Director to make a decision
- You will receive a full written response within 20 working days of us receiving your letter, or we will tell you about any delay and give you a new date for when you should receive a response

## SOLUTIONS

If your complaint is accepted, the service involved will try to solve the problem by doing the following:

- Apologising to you and explaining what went wrong
- Providing the service you are entitled to receive
- Changing procedures so that the mistake is not repeated

## HOUSING OMBUDSMAN

If you are not satisfied with how we have handled your complaint then you may wish to complain directly to the Housing Ombudsman Service.

In addition to taking your complaint to the Housing Ombudsman you also have the choice of taking your complaint to a Designated Person. A designated person can be a MP, a local Councillor or a Tenant Complaint Panel. The designated person may resolve the complaint directly, refer the complaint to the Housing Ombudsman or may decline doing either.

**Designated Person** - The Council would discuss the issues with your selected designated person and liaise with yourself and provide their view following consideration of both sides of the complaint. They may also suggest possible outcomes, liaising between you and the Council.

**Tenant Complaint Panel** - The Tenant Complaint Panel is one that is recognised by the Council to play a formal role in resolving complaints once the Council's internal complaint procedure is complete. You and a representative from the Council would be invited to attend a meeting to provide information to the Panel. The Panel will consider the complaint and provide a decision in writing following the meeting.

The Housing Ombudsman service can be contacted as follows:

**By post:** Housing Ombudsman Service  
81 Aldwych  
London  
WC2B 4HN

**By telephone:** 0300 111 3000

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

## ADDITIONAL INFORMATION

The following sets out the complaint categories that can be referred to the Housing Ombudsman. However, please note that inclusion of a complaint category does not mean that the Ombudsman will necessarily investigate the complaint. The Ombudsman may decide that part or all of the complaint falls outside their jurisdiction or they may decide that there are other reasons why they should not investigate. But if that is the case, they will explain why.

### Leasehold services

- Shared ownership and sales processes for leasehold properties
- Shared ownership stair-casing
- Full ownership and sales processes for leasehold properties owned by

### Housing associations

- Right to buy and right to acquire for tenants of housing associations
- Repair responsibilities under the lease
- Mortgage rescue schemes
- Leasehold services provided by the landlord

### Moving to a property

- Transfer applications that are outside Housing Act 1996 Part 6
- Type of tenancy offered
- Mutual exchange
- Decision to renew a fixed tenancy
- Decants
- Mobility Schemes

### Occupancy rights

- Terms and conditions of occupancy rights
- Succession
- Assignment
- Ending a tenancy (e.g. notice periods)
- Abandonment of property
- Possession proceedings

## Property condition – repairs and improvements

- Condition of the property when first let (e.g. void works)
- Responsive repairs
- Planned maintenance or cyclical works
- Improvement works carried out by landlord or tenant
- Rechargeable repairs
- Disabled adaptations

## Tenant behaviour

- Anti-social behaviour
- Noise nuisance
- Harassment

## Estate management

- Cleaning or repairs of communal areas
- Boundary issues
- Grounds maintenance
- Parking
- Use of communal areas

## Rent and service charges

- Rent or service charges

## Complaint handling

- The landlord's handling of a complaint in their complaint process, including delays

## Compensation

- Home loss or disturbance payments
- Improvements carried out by the tenant