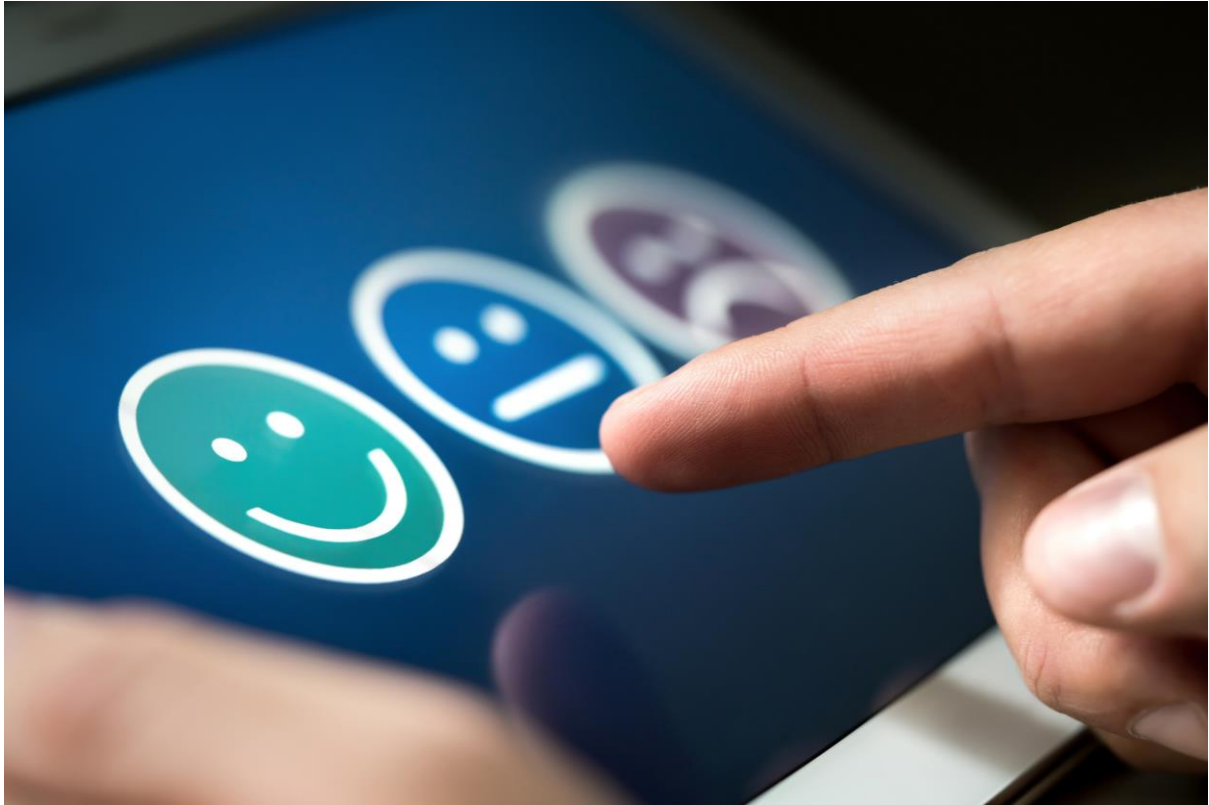


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# Complaint Handling Policy

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**July 2025 | This policy relates to Elmbridge Borough Council  
Residential Properties**



**Elmbridge**  
Borough Council

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## Introduction

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The purpose of this policy is to set out a consistent and fair approach to responding to complaints from tenants of Elmbridge Borough Council's homes and providing a framework for remedies.

We care about our tenants and want to ensure anyone making a complaint is treated with fairness, respect, and empathy. We recognise that, we may not always meet our tenant's expectations. We want to ensure that there is an accessible, easy to follow and robust complaint policy in place to resolve matters as early and effectively as possible. We aim to put things right and listen to our tenants' suggestions for improving services.

This policy has been developed in accordance with the Housing Ombudsman's Complaint Handling Code, which can be found here <https://www.housing-ombudsman.org.uk/landlords-info/complaint-handling-code/>, our statutory and legal duties, and best practice.

This policy only applies to tenants of Elmbridge Borough Council and the landlord services we provide. It does not apply to complaints about our other Services. These have their own procedure which can be found at <https://www.elmbridge.gov.uk/your-council/step-by-step/complaints>

Most of the services you receive are delivered by a managing agent. This is currently Pinnacle Housing Limited <https://www.pinnaclegroup.co.uk/>

We provide planned maintenance and improvements to your home and are your landlord.

Where a service is not provided directly by us, we remain responsible for ensuring it meets all Regulatory and legal standards and provides the good level of service that our tenants want to receive.

## Where to direct complaints?

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### 1. Housing Management and Repair Services Complaints:

As the managing agent delivers the housing management and repairs service, we encourage tenants to first submit complaints directly to them. This ensures that the managing agent can address your concerns. The managing agent's complaint procedure is available here <https://www.pinnaclegroup.co.uk/wp-content/uploads/2024/08/Complaints-Policy-PAF-24.pdf>

The Council will also consider any complaint made about the housing management and repairs service directly and investigate and respond in line with this policy.

### 2. Complaints About the managing agent or services provided by us:

If your complaint specifically concerns the managing agent's conduct or performance or services provided by us, you can ask that we address your complaint directly under this policy.

### 3. Council Review:

If you have a stage 2 complaint about the service with the managing agent, we will review the managing agent's response before it is sent to you.

If you are not satisfied after completing the managing agent's complaints process, you can escalate your complaint directly to the Housing Ombudsman Service. Details of this can be found on Page 8. You are not expected to go through two complaint processes and you do not need to complain to us first.

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## Complaint definition

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We have adopted the Housing Ombudsman's definition of a complaint as: ***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.***

Complaints are important to us. They help us to understand the quality and performance of the services you receive and to focus on ways to improve them. We treat each complaint as an opportunity for learning. We will ensure that any learning

outcomes are captured and where appropriate, implemented.

Whenever a tenant expresses dissatisfaction we will give them the choice to make a complaint. You do not have to use the word 'complaint' for it to be treated as such.

You can contact the Housing Ombudsman Service for advice at any point throughout our process. See page 8 for details.

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## Roles and responsibilities

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**All Employees:** All Elmbridge Borough Council employees are responsible for directing complaints to the right place, the managing agent or the relevant team. All employees should recognise and attempt to resolve an initial complaint at the first point of contact. Everyone is encouraged to be honest, recognise mistakes have been made and focus on putting things right.

The housing team will be responsible for dealing with complaints ensuring a coordinated and consistent approach. The team will work with the managing agent to understand what has gone wrong and to find the best way to fix it. In addition, any learning captured during the complaints process will be shared with the managing agent and relevant teams.

**Head of Housing:** The Head of Housing is the lead person accountable for complaint handling. They will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision. They are responsible for the contract management and performance of the managing agent. This role is the responsible person for the Consumer Standards.

**Cabinet:** The Cabinet has overall responsibility for this policy and will review it every three years, or earlier, if there is a change in regulation or new guidance from the Housing Ombudsman. The annual Complaint Handling and Service Improvement report will be presented to the Cabinet each year and their review and response will be published on our website each year.

**Council Management Board:** The Council Management Board will be notified of any significant or ongoing non-compliance with this policy. Particularly if there are any determinations from the Housing Ombudsman following an investigation into a complaint. The Council Management Board will receive regular reports on complaint handling performance.

**The Member Responsible for Complaints:** The Portfolio Holder for Housing has lead responsibility for ensuring a positive complaint handling culture at Elmbridge Borough Council residential properties. This role must have access to suitable information and employees support to carry out this role and report on their findings. The Member Responsible for Complaints is responsible for ensuring the Cabinet receives regular information on complaint handling performance including:

- Regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance.
- Regular reviews of issues and trends arising from complaint handling.
- Regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings.
- Annual complaints performance & service improvement report.

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## Service requests

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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'll ask you what you'd like us to do to put things right. We can often resolve service requests, such as a missed appointment or repair delay, immediately with an apology and by providing another appointment.

We may be able to resolve this outside of our complaints process, recording it as a service request and monitoring it to completion. If we need to make further enquiries to resolve the matter, or if you ask us to at any point, we will log it as a complaint. We will continue to address any service requests after we have logged a complaint.

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## Who can make a complaint?

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Anyone can make a complaint about the services we, or anyone working for us (for example our managing agent or contractors), provide. You are only able to escalate your complaint to the Housing Ombudsman Service if you are one of our tenants.

If you prefer, you can authorise someone else to make a complaint on your behalf such as an 'advocate'. This could be a friend, relative or representative from an external organisation such as Citizens Advice. If you would like an advocate to act

on your behalf, represent you or accompany you at any meetings with us, let us know.

We treat complaints received through petitions or a group of tenants in the same way as all other complaints. In terms of handling the complaint efficiently, we will ask for a single point of contact to be nominated.

If your home is in a building that is not owned by Elmbridge Borough Council, and which is managed by a third party we will:

- Liaise with the relevant parties to get all the information we need and resolve the matter
- Investigate and respond to your complaint in line with this Policy.

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## What can you make a complaint about?

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You can complain about the standard of service, actions or lack of action by us or anyone working for us such as our managing agent or contractors, within 12 months of the issue happening or of you becoming aware of the issue.

We may use our discretion to accept older complaints if there is a good reason you had not raised it before. For example, if the problem is a recurring or ongoing issue, we will consider any older reports as background to the investigation.

We will always look at the individual circumstances of each complaint and consider these before responding.

In some circumstances it may not be appropriate to consider or escalate the complaint.

- Legal proceedings have started involving a tenant, landlord or the managing agent.
- If you make a complaint and we complete our process, we are unlikely to accept another complaint about the same issue unless you provide new information.
- We will not accept new complaints that have already been investigated or are under investigation by the Housing Ombudsman Service unless the Housing Ombudsman directs us to.
- There may be some circumstances where your complaint is better dealt with outside of our complaints process. If this is the case, we will provide the

reason why and the action you can take. You will be able to approach the Housing Ombudsman Service once you have received our decision.

- Complaints made about the actions of a neighbour. This is managed through our managing agent's neighbour dispute and antisocial behaviour policies. <https://www.pinnaclegroup.co.uk/wp-content/uploads/2024/11/Anti-social-Behaviour-Policy-Spaces.pdf>
- Where you are unhappy with how our managing agent has dealt with a neighbour dispute and antisocial behaviour, you can raise a complaint.
- The rent increase that is set by government.
- Any decisions that we make to comply with our statutory obligations, legislation or regulation.

If we decide not to accept a complaint, we will provide you with the reason why. If you are unhappy with our decision, you can contact the Housing Ombudsman Service for advice.

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## How to make a complaint and contact us

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We will publish details of how you can make a complaint and access the Housing Ombudsman Service on our website and in our complaint responses.

Our website: [www.elmbridge.gov.uk](http://www.elmbridge.gov.uk)

Email: [EBClandlord@elmbridge.gov.uk](mailto:EBClandlord@elmbridge.gov.uk)

Telephone: 01372 474 474

In person or write to us at: Housing Services Team, Elmbridge Borough Council, Civic Centre, Esher, Surrey, KT10 1SD

Other: Via your Councillor or Member of Parliament

We proactively monitor these channels for complaints from tenants. If you post a negative comment, we will deal with this as a direct response to you or log as a complaint. Once logged as a complaint, it is then dealt with according to this complaints policy and procedure.

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## Complaint process

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### Stage one complaint:

We will acknowledge your complaint within **5 working days** confirming:



- Our understanding of your complaint, the outcomes you are hoping for and focus on what we can do.
- We will be clear which aspects of the complaint we are and are not able to help with and clarify where this not clear.

A complaint response will be provided to you when we know what actions we are going to take to address the complaint. This may be before the actions to address the issue are completed.

Where you raise further complaints during our investigation, these will be included into the stage 1 response if the response has not yet been issued. Where the response has been issued, or it would reasonably delay the response, the additional issues will be logged as a new complaint.

We will investigate your complaint and give you a written response within **10 working days**. If we feel this will take longer, we will let you know why and agree with you the expected timescale for our response. In accordance with the Complaints Handling Code, we will seek an extension of up to a maximum of 10 additional working days. You can contact the Housing Ombudsman for advice at any point. We'll continue with our investigation and provide a response within the extended timeframe. This stage 1 response will be carried out by a relevant Manager.

The stage 1 response will include:

- a) our complaint stage
- b) details of your complaint
- c) our decision
- d) our reasons for any decisions made
- e) details of any remedy offered to put things right
- f) details of any outstanding actions and
- g) details of how to escalate the matter to stage 2 if you are not satisfied with our response.

### **Stage two complaint:**

If you are unhappy with our complaint investigation and response you can request a review. You should request this within 28 days of the date of our response.

We will ask you why you remain dissatisfied with our response and the outcome you would like to resolve your complaint.

There are occasions where we may issue a follow-on response instead of escalating to Stage 2. The reasons why we may choose to do this is because we can deal with the matter quickly and to your satisfaction. For example, completing an outstanding repair.

We will acknowledge your request to escalate your complaint within **5 working days** and give you a written response within **20 working days**. If we feel this will take longer, we will let you know why and agree with you the expected timescale for our response. In accordance with the Complaints Handling Code, we will seek an extension of up to a maximum of 20 additional working days. You can contact the Housing Ombudsman for advice at any point.

A stage 2 complaint response will be provided to you when we know what actions we are going to take to address the complaint. This may be before the actions to address the issue are completed.

The stage 2 response will be carried out by the Head of Housing.

The stage 2 response will include:

- a) our complaint stage
- b) details of your complaint
- c) our decision
- d) our reasons for any decisions made
- e) details of any remedy offered to put things right
- f) details of any outstanding actions and
- g) details of how to escalate the matter to the Ombudsman Service if you remain dissatisfied

### **If you disagree with our review decision at stage two?**

You can contact the Housing Ombudsman Service at any point throughout your complaint for advice.

Once you have exhausted our complaints process at stage two, you may ask the Housing Ombudsman Service to mediate or investigate the case on your behalf.

You can find Housing Ombudsman Service contact details below, on our website, or at [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

- [online complaint form](#)
- **Email:** [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)
- **Phone:** [0300 111 3000](tel:03001113000)
- **Write to:**  
Housing Ombudsman Service  
PO Box 1484  
Unit D  
Preston  
PR2 0ET

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## What we can do to put things right

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We appreciate that at times things go wrong and we will always look at various solutions to try and resolve a complaint. We want to do the right thing for you and solutions can be offered at any stages of our complaint process.

This could be offering an apology and acknowledging where we have gone wrong, reconsidering or changing a decision, taking action if there has been a delay, or offering compensation.

When something goes wrong, we will work with you to find the best way to make it right. This might mean arranging repairs, doing some redecoration, or replacing any damaged items. Sometimes, we may also say sorry by giving a voucher or sending flowers. We will always try to respond in a way that feels fair and thoughtful, based on each individual situation

When making decisions on solutions to resolve a complaint, we will use the Housing Ombudsman's approach as guidance. <https://www.housing-ombudsman.org.uk/centre-for-learning/key-topics/our-orders/ombudsmans-policy-and-guidance-on-remedies/>

We will work closely with our insurance team where there is a claim for personal injury or damage to belongings as part of the complaint. This may mean that we hold

off on providing any other solutions until the insurance investigation for liability is assessed.

We will contact you after 28 days if you have not accepted the solutions offered.

We will pay compensation by two methods, via bacs transfer to an account of your choice or into your rent account if requested by you.

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## Reasonable adjustments

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We will take your preferences into account when communicating with you and we will make reasonable adjustments in line with the Equality Act 2010.

We want to make sure you can access our services and have a smooth and fair experience when making a complaint.

We will talk to you to understand your individual needs. We will take account of any medical conditions and any individual needs. We will not make assumptions about whether you require any reasonable adjustments or about what those adjustments should be. This will be based on what you tell us you need and what we can reasonably provide. Any Adjustments made will be kept under review.

Some examples of adjustments we may make include:

- Providing information in alternative formats, for example large print, Braille, coloured paper.
- Use of email or telephone in preference to letters.
- Providing additional time for you to make decisions.

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## Unreasonable tenant behaviour

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We ask that you or your representatives treat our employees with respect and that you or your representatives behave in a way that does not stop us from being able to resolve your complaint or the underlying issues. However, we occasionally receive complaints from tenants or their representatives whose behaviour and or frequent contact prevents us resolving the complaint or affects the ability of our managing agent or team to help you.

In these cases, we will speak with you to understand why you keep contacting us. We will also liaise with external agencies to find out if you need support and let you

know that we have done this.

We will explain what we are doing to resolve your complaint and decide what we will do the next time you contact us about the same issue.

This could be to and in regard for the provisions of the Equality Act 2010.:

- acknowledge the contact but not offer any further response.
- ask you to only contact one named employee.
- ask you to only contact us using a channel of our choice.
- ask you to contact us at mutually agreed times.

We will review tenants we manage this way every year. If you want to challenge the way you are managed, you can ask us to review it. The Head of Housing or the equivalent role in the managing agent will undertake this review and will only do this once.

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## Learning from complaints

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We want to learn from complaints as this helps us improve our services. We use insights from our complaints to improve services. We will share our annual Complaint Handling and Service Improvement report, along with the Cabinet's response, on our website each year.

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## Training

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We are committed to ensuring our employees are well-trained and fully competent in handling complaints. All team members receive regular training to understand our policy and processes, so they can respond to complaints fairly, professionally, and efficiently.