Exeter City Council Housing Services

Draft Housing Complaints Policy

2025-2030

1.0 Full Policy Review at Executive Committee 23/09/2025	
1.1 Policy revision 18/02/2026	Additional clauses added and subsequent required re-numbering as a result of HO recommendations

1. Introduction 3
2. Statutory/Regulatory requirements 3
3. Policy aims and objectives 3
4 Definitions 4
i. Service Request 4
ii. Complaint 5
5. Processing Complaints 6
i. Stage One 6
Examples of actions to be taken at Stage One: 7
ii. Stage Two 7
Actions to be taken at Stage Two 8
6. The Housing Ombudsman Service 8
7. Exclusions 9
8. Written responses 9
9. When a complaint is closed 9
10. Use of discretion 10
11. Complaints made in a vexatious manner 10
12. Legal Obligations 10
13. Compensation and redress policy 11
13. Equality and diversity 11
14. Representation and support agencies 11
15. Monitoring Complaints 11
16. Learning from Complaints 12
17. Self-Assessment 12
18. Confidentiality 12
19. Storing Information 12
20. Increasing awareness of this Policy 12
References: 13
Appendix A 14
Appendix B 15
The Member Responsible for Complaints (MRC) 15
Responsibilities - Governing Body Assurance 15
Responsibilities - Complaint Handling Code 16
Responsibilities - Learning 16

1. Introduction

1.1 Following The Social Housing (Regulation) Act 2023 The Housing Ombudsman issued a Complaint Handling Code which is statutory from 1st April 2024. This code was introduced to enable 'a positive complaints culture across the social housing sector'.[1]

1.2 The Housing Ombudsman has a statutory duty to monitor compliance with the Code; as part of this, landlords are expected to have a Housing Complaints Policy.

1.3 This policy has been updated to reflect new guidelines issued by the Housing Ombudsman and following their review of the policy and the recommendations provided therein.

1.4 Further correspondence from the Housing Ombudsman was received on 13th February 2026 stating that they had undertaken a follow-up review of the policy document. This recommended 6 'relatively minor policy changes' to ensure compliance with the Code which needed to be completed by 2nd March 2026.

1.5 The policy has therefore been thoroughly reviewed to incorporate those recommendations.

1.6 This is Exeter City Council's Housing Complaints Policy.

2. Statutory/Regulatory requirements

2.1 This Policy has been produced in line with legislation including:

- Localism Act 2011,
- Housing Act 1996 (schedule 2),
- General Data Protection Act 2018,
- Equality Act 2010,

2.2 It also incorporates guidance from the Housing Ombudsman Service and meets the requirements of the Consumer Standards where appropriate i.e. The Tenant Involvement and Empowerment Standard.

Note: We have referred to residents throughout this document-this includes both tenants and leaseholders who occupy former Council owned homes.

3. Policy aims and objectives

3.1 At Exeter City Council we aim to provide an excellent standard of service to our residents; but acknowledge that on occasions we don't always get it right and residents may be dissatisfied and wish to complain.

3.2 When a resident contacts us with a complaint, it is treated as an opportunity to find ways to learn and improve the service. We will ensure that action is taken promptly to initiate an investigation.

3.3 We value that communication, and we will spend time and effort investigating to see where we can prevent similar complaints arising in the future; if we're doing something wrong, we need to put it right.

3.4 We have commitment and culture to make service improvements and learn from mistakes made. Monthly internal meetings are held where complaints received are discussed. This is an opportunity to share ideas and consider what we can learn from the situation so that procedures can be amended, practices reviewed and services improved. (See also the Monitoring of Complaints section below.)

3.5 It is Exeter City Council's aim to resolve complaints in a timely fashion and be open and accountable to our residents being outcome focused. Our policy is based on the Housing Ombudsman's Dispute Resolution Principles of: Being Fair, Putting Things Right and Learning from Outcomes.

3.6 We will treat all our residents in a fair manner, taking into account their needs and possible vulnerabilities.

3.7 We have set up a tenant led Complaints & Performance Group who meet on a quarterly basis to review our performance data and how the complaints service is operated. This group will help our service to identify any areas for improvement from a tenant's point of view. Feedback is provided in our Annual Report and in our in-house magazine to tenants, 'InSight', which is published twice a year.

3.8 Each year we will assess our service against the Housing Ombudsman's Complaint Handling Code and we will also produce an Annual Complaints Performance & Service Improvement Report; These will be brought to the Council Housing & Development Advisory Board (CHADAB), to the Complaints & Performance Group and ultimately published on our website.

3.9 Exeter City Council has appointed one of its Councillors to be the 'Member Responsible for Complaints'. See Appendix B

4 Definitions

4.1 The recognition of the difference between a formal complaint and a service request is important. The following indicates our definitions of both terms:

i. Service Request

4.2 A service request can come from a tenant or someone who might have visited their home. For example, reporting a repair issue or reporting anti-social behaviour-these will be logged and forwarded to the relevant department for action.

4.3 Service requests can become formal complaints when, for example a repair has been logged, the resident has been in contact, but no action has been taken; the resident advises the issue has been raised previously with an officer and not actioned or the resident wishes to make a formal complaint straight away.

ii. Complaint

4.4 Exeter City Council follows the Housing Ombudsman's definition of a complaint '*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.'*

4.5 A resident does not have to use the word 'complaint' for it to be treated as such and that any residents that express dissatisfaction are given a choice to make a complaint.

4.6 Complaints need to be brought to our attention within 12 months of when the issue was first noticed. We will not normally consider a complaint made after that time.

4.7 Residents can follow the information on our website[2], making a formal complaint if they consider that we have:

- done something wrong
- behaved unfairly or impolitely
- not carried out a service to an agreed standard
- not responded to their request for a service within our stated timescale

4.8 Residents can make a complaint in a number of different ways. Anyone can make a complaint on the resident's behalf, if they unable to do so. They will need signed authorisation from the resident.

4.9 Complaints can be made in writing by email, (we have a dedicated in-box for complaints), in person, by letter, via the Housing Complaints form accessible from our website, the telephone, during a visit by one of our officers or at one of our Housing Surgeries.

4.10 Complaints can also be made via social media (including our Housing Services Facebook page[3]), if this method is used it will be handled through our normal processes (outside of the social media platform itself).

4.11 Councillors can put forward complaints made directly to them by residents, these will be acknowledged and progressed in accordance with this policy.

4.12 If we understand that a resident is dissatisfied with our response to a service request, we will ensure that this is treated as a complaint and will inform the resident of this.

4.13 It will be made clear to the resident that making a complaint will not prevent, stall or impact on actions needed to resolve their original request made.

5. Processing Complaints

5.1 Exeter City Council has a team within Housing services dedicated to the processing of any complaint received from one of our tenants or leaseholders.

5.2 This team follow a strict process to ensure that the Housing Ombudsman's Code of Conduct is adhered to at all times.

5.3 The team will ensure that the investigation into any complaint that is made about the conduct or attitude of staff will be conducted by someone who is independent of the situation to avoid bias. There is a distinction between a complaint about alleged misconduct of a member of staff that would normally be handled under an HR procedure, and what is effectively a service complaint directed at an individual member of staff that can be handled under this complaints procedure.

5.4 Any correspondence will be in line with the guidance issued by the Housing Ombudsman (see Appendix A)

There are two stages to our complaints process.

i. Stage One

5.5 The specialist team take the complaint and log it on our Housing database system.

5.6 If it is unclear about any aspect of the complaint at Stage One a member of the complaints team will ask the resident for clarification to ensure we have a clear understanding of the nature of the complaint and why they are unhappy with the Stage One response.

5.7 The complaint will be acknowledged, defined and logged within 5 working days of receipt and the resident will be provided with a response deadline.

5.8 The acknowledgement will set out our understanding of the complaint and the outcomes the resident is seeking; it will also detail which aspects that we are and are not responsible for.

5.9 The complaint is allocated to an investigating officer within 5 working days of receipt, who will investigate and provide a full response to the resident within 10 working days of the complaint being acknowledged.

5.10 This timescale may be extended by up to10 working days with the agreement of the resident, but we would always contact the resident to explain the reasons behind this and provide the Housing Ombudsman's contact details. A response will be provided within the additional 10-day extended deadline unless there are exceptional circumstances. Where agreement over an extension period cannot be reached, we will provide the Housing Ombudsman's contact details so the resident can contact them directly.

5.11 At the point we anticipate additional investigation time would take the complaint outside of the extension period, e.g. beyond the extended deadline date, an agreement will be made by both parties to include when suitable interval updates will be made and residents will be informed at those agreed intervals. The Housing Ombudsman's contact details will be provided to the resident. Where agreement over an extension period cannot be reached, we will provide the Housing Ombudsman's contact details so the resident can contact them directly.

5.12 The complaint response will be sent when the answer is known, or by the deadline provided and will not wait until any outstanding actions required to address the issue are completed. Any outstanding actions will be detailed in the response.

5.13 After the complaint has been responded to, residents will continue be provided with appropriate updates regarding outstanding actions from the complaint outcome.

5.14 If the resident raises additional complaints, these can be incorporated into the Stage One response if this has not already been sent. If, however the Stage One response has been sent or the issues raised are unrelated to the original complaint, or it would cause an unreasonable delay to the response then this will be logged as a new complaint.

Examples of actions to be taken at Stage One:

i. The housing officer or surveyor contacts the complainant and they are happy with the outcome
ii. A repair is completed and the resident is satisfied with the work & workmanship
iii. Financial compensation is offered to recompense for any inconvenience or distress caused

ii. Stage Two

5.15 If the resident remains dissatisfied after the Stage One investigation, they can request an escalation where a new senior officer will conduct an independent review. The request must be made within 3 months of the conclusion of the Stage One complaint. A complaint can be escalated to Stage two once it has completed Stage One of the Complaints process.

5.16 The specialist team take the escalated complaint and log it on our Housing database system.

5.17 If it is unclear about any aspect of the complaint at Stage Two a member of the complaints team will ask the resident for clarification to ensure we have a clear understanding of the nature of the complaint.

5.18 The request to escalate a complaint to Stage Two complaint will be acknowledged, defined and logged within 5 working days of receipt and the resident will be provided with a response deadline.

5.19 We will not refuse a reasonable request to escalate a complaint to Stage Two of our process, unless for example legal proceedings have commenced.

5.20 The acknowledgement will set out our understanding of the complaint and the outcomes the resident is seeking; it will also detail which aspects that we are and are not responsible for.

5.21 The complaint is allocated to an investigating officer, not the same person that considered the complaint at stage 1, within 5 working days of receipt, who will investigate and provide a full response to the resident within 20 working days of the complaint being acknowledged.

5.22 This timescale may be extended by up to 20 working days with the agreement of the resident, but we would always contact the resident to explain the reasons behind this and provide the Housing Ombudsman's contact details. A response will be provided within the additional 20-day extended deadline unless there are exceptional circumstances. Where agreement over an extension period cannot be reached, we will provide the Housing Ombudsman's contact details so the resident can contact them directly.

5.23 At the point we anticipate additional investigation time would take the complaint outside of the extension period, e.g. beyond the extended deadline date, an agreement will be made by both parties to include when suitable interval updates will be made and residents will be informed at those agreed intervals. The Housing Ombudsman's contact details will be provided to the resident. Where agreement over an extension period cannot be reached, we will provide the Housing Ombudsman's contact details so the resident can contact them directly.

5.24 The complaint response will be sent when the answer is known, or by the deadline provided and will not wait until any outstanding actions required to address the issue are completed. Any outstanding actions will be detailed in the response.

5.25 After the complaint has been responded to, residents will continue be provided with appropriate updates regarding outstanding actions from the complaint outcome.

5.26 Residents cannot add additional elements to their complaint at stage 2. These will need to be investigated as separate complaint at stage 1.

Actions to be taken at Stage Two

i. The issue is resolved with the agreement of the resident and to the resident's satisfaction.
ii. Compensation, agreed by the resident is offered and accepted
iii. Any financial compensation offered is in line with guidance from the Housing Ombudsman.

6. The Housing Ombudsman Service

6.1 If the complaint remains unresolved at the end of our complaints process the resident has the following options available:

I. They can use the Housing Ombudsman's Early Resolution Service. This is an alternative process to formal investigation where they will work with the resident and us to resolve the dispute as fairly and quickly as possible

II. The resident can refer their complaint to the Housing Ombudsman to be formally investigated.

7. Exclusions

7.1 We reserve the right to refuse a complaint; if this is the case, a detailed explanation will be provided to the resident, setting out the reasons why the matter is not suitable for the complaints process and the right to take the decision to the Housing Ombudsman whose contact details will be provided.

7.2 We will use the following exclusions:

- if it is determined to be a service request e.g., a repair or enquiry
- If more than 12 months has elapsed since the issue arose-we will use our discretion over this and will consider each complaint individually
- It duplicates another complaint already made or in process
- Legal proceedings have commenced. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
- If there is an accident or incident – this will be handed over to the Housing Compliance team for their expertise
- There is a Housing Disrepair Protocol in progress
- The complaint is made in a vexatious manner (see below).

8. Written responses

8.1 We will ensure that all written responses are clearly referenced to show the stage that the complaint has reached. Templates are used that provide clear and direct guidance to residents on how to escalate a complaint to the next stage of our procedure if they remain dissatisfied. See also Appendix A

8.2 Complainants are asked to be clear about why they disagree with a decision and what more they want the Council to do to put it right.

9. When a complaint is closed

9.1 We have the discretion to close complaints early with details of what circumstances this would apply. Examples of when a complaint would be closed:

- The investigation is complete and a response has been sent to the resident
- After sending a response and attempting to make contact to discuss it, there is no further contact from the complainant after 90 days
- When a resolution is agreed and we have committed to deliver an action.

10. Use of discretion

10.1 Exeter City Council reserves the right to use discretion when applying this policy and may deal with a complaint differently where individual circumstances merit it. Any discretion needs to be applied fairly and appropriately and that complaints should be progressed as far as possible to maximise the opportunity to resolve a dispute.

11. Complaints made in a vexatious manner

11.1 Examples of these are listed below:

i. Complaints which are obsessive, harassing, abusive or repetitive
ii. Insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes
iii. Insistence on pursuing what may be meritorious complaints in an unreasonable manner
iv. Complaints which are designed to cause disruption or annoyance
v. Demands for redress which lack any serious purpose or value.

This list is not exhaustive

11.2 Exeter City Council takes each complaint seriously and will always raise genuine issues and concerns for its residents. However, we will follow our internal processes when dealing with complaints made in a vexatious manner.

11.3 Our Response to such complaints:

- We will refer to the Council's Unacceptable Behaviour Policy
- Understand the complainant's perspective
- Collate all the facts before categorising as vexatious
- Explore and understand each situation fully
- Take each complaint seriously to avoid missing key information or genuine issues through being complacent
- We will be open and transparent
- We will continue to engage with the complainant
- We will be consistent
- Review the case regularly

11.4 When a resident demonstrates persistent and vexatious behaviour, we invoke our 'Acceptable Behaviour Contract' which manages communication in line with the Unacceptable Customer Behaviour Policy.

12. Legal Obligations

12.1 Where key issue of a complaint relates to the parties' legal obligations, we will clearly set out the legal obligations of all parties concerned.

13. Compensation and redress policy

13.1 Exeter City Council has a number of options available to put things right when there has been a service failure.

Some of the options available are:

i. Offering rent-free weeks
ii. Supplying shopping or decoration vouchers
iii. Offering financial compensation

The level of compensation offered will be in line with the Housing Ombudsman Compensation Policy – Guidance for landlords

14. Equality and diversity

14.1 Exeter City Council already has an Equality and Diversity Policy[4] and is committed to be fair, accountable and transparent and to promote equality of opportunity to ensure that all residents are treated fairly.

14.2 We recognise that many of our residents may have vulnerabilities so as each complaint is considered individually reasonable adjustments will be made as and when required.

15. Representation and support agencies

15.1 Residents are free at any time to seek the support and advice from other organisations or agencies. We will signpost our residents to these.

16. Monitoring Complaints

16.1 We recognise the need to monitor our complaints, both in terms of ensuring that deadlines are met, but also to determine the type of complaints we receive, trends and in which service area they relate to. Housing Managers take responsibility for complaints within their service area. Detailed timelines are produced for each complaint and these are communicated to the managers on a weekly basis so that they in turn can monitor their teams for timely responses.

16.2 A detailed database is held for complaints so that these can be closely monitored and areas for improvement acknowledged and proposals for solutions agreed.

16.3 A detailed spreadsheet with key performance indicators including complaints statistics is produced which is discussed at monthly Operational Management Team meetings.

17. Learning from Complaints

17.1 A new Complaints Clinic has been established where lead investigating officers can discuss cases and identify service improvements.

17.2 Staff training is provided at away days and for individuals or teams so that they are fully aware of the complaint process and service delivery expectations.

18. Self-Assessment

18.1 As part of our ongoing commitment to enhance and improve our Complaints process, we complete annually the Housing Ombudsman Self-Assessment Form and Service Improvement Plan. Once completed, these are scrutinised by our Complaints and Performance Group and CHADAB before being published on our website.

19. Confidentiality

19.1 Exeter City Council Housing Services complies with the collection, storage, access to, provision and disclosure of data in accordance with the Data Protection Act 2018.

20. Storing Information

20.1 Complaints files are confidential and are kept secure on 'OPEN Housing' the Department's database software system.

20.2 In line with the Retention & Disposal Policy, Ombudsman complaint files are destroyed after 6 years and all other complaint files after 3 years. This applies to electronic information as well as hard copy files.

20.3 We reserve the right to retain complaint information on a resident's service file because the information is relevant to the resident's relationship with the Council. This will only be considered if holding this information will not cause the complainant any undue damage or distress. However, where there is no continued need for that information, the file or information will be deleted at the same time as the complaint file. Any concerns will be raised with the Council's Data Protection lead.

21. Increasing awareness of this Policy

21.1 This Housing Complaints Policy will be publicised in the following ways:

- The Exeter City Council Website
- Tenant Annual Report
- InSight magazine
- Social Media[3]
- Leaflets distributed by officers
- Housing Drop-In Surgeries

- Housing Complaints Stage One & Two responses
- Posters in communal spaces and Customer First (public facing service)

References:

1. https://www.housing-ombudsman.org.uk/wp-content/uploads/2024/02/01.-Complaint-Handling-Code-09.02.24.pdf

2. https://exeter.gov.uk/housing/information-for-council-tenants/tenants-advice-and-information/housing-complaints-and-feedback/

3. https://www.facebook.com/ECCHousing

4. Equality and Diversity Policy September 2020 (exeter.gov.uk)

5. Compensation policy - Housing Ombudsman (housing-ombudsman.org.uk)

Appendix A

Responding to Complaints

[Responding to a complaint - Housing Ombudsman (housing-ombudsman.org.uk)]

Language and tone - be open, use plain English, avoid jargon and show empathy.

Labelling - clearly label each response, for example, Stage 1, Stage 2 or your 'final' response.

Respond to the original complaint and dissatisfaction - respond to all elements of the original complaint plus any that you may have later agreed to include in the formal complaint. Set out why the complainant was dissatisfied with the previous response.

Findings and conclusions - set out your findings and conclusions on each issue referencing any evidence on which those findings are made.

Policy and law - refer to any relevant policy, procedure, legislation or good practice when explaining a decision.

Apology and explanation - acknowledge and apologise for any mistake or service failure and provide an explanation of what went wrong.

Outcome - consider the outcome the complainant is looking for and how you might be able to provide this or go some way towards providing it.

Timescales and actions - give details and timescales for any actions you plan to take, for example, inspections or repairs.

Redress - give details of any redress offered, for example, compensation, discretionary repairs or decorations, or other actions.

Learning - explain what you have learnt from the complaint and what changes or improvements will be made as a result.

Signposting - signpost the complainant to other sources of advice or support, such as Citizens' Advice, the Leasehold Advisory Service (LEASE), Shelter, Age UK, Local Government and Social Care Ombudsman (LGSCO).

Appendix B

The Member Responsible for Complaints (MRC)

The MRC's responsibilities include ensuring that our complaint handling promotes service improvement for residents and learning and business improvement for the City Council.

The role of the MRC is to champion a positive complaint handling culture and build effective relationships with complaints teams, residents, its audit and risk committees as well wider teams and the Housing Ombudsman Service.

The MRC should be looking to seek assurances from the complaints team and where appropriate the operational teams that complaints are being managed, change is happening and that residents are being heard through the process.

The role is described in detail on the Housing Ombudsman's Service website-a precis is provided below:

Responsibilities - Governing Body Assurance

1. To promote a culture of openness and transparency where complaints made by residents are seen as form of insight into the how the organisation is managed. To provide assurance that systems are in place to capture learning from complaints and that the Council Housing & Development Advisory Board (CHADAB) is engaged with this. To ensure senior level ownership of learning and accountability stemming from complaints.
2. To provide assurance to CHADAB, through engagement with operational teams, that complaints are valued as an opportunity to learn, to give an early warning of ineffective processes, policies, or behaviours, to identify areas for improvement and to improve awareness and accessibility; and how this is happening across the Council .
3. To engage with the chair of the Audit and Governance Committee, to discuss any risks emerging from complaints and any recommendations for improvement in service areas which may be relevant to internal audit's activities.
4. To engage in, oversee, and ratify the annual self-assessment against the Complaint Handling Code, providing assurance that an accurate self-assessment is produced and published each year. This may include engaging residents in the self-assessment exercise.
5. To alert CHADAB of any concerns they have about the handling of complaints, the substantive issues giving rise to complaints, or the outcome of an individual complaint.

6. To ensure CHADAB understands its responsibilities to deliver a positive complaint handling culture and that complaints are given the status they deserve within the senior leadership's work.

Responsibilities - Complaint Handling Code

7. To review the communication of the Housing Services through its complaints to ensure it is empathetic, effective, and appropriate.
8. To gain assurance of the organisation's timely compliance with Housing Ombudsman evidence requirements and orders promoting a Council wide culture that demonstrates the learning and the changes to services that are provided for residents.
9. To promote a culture where every employee supports effective complaint handling, where complaint handlers have the authority and respect within the Council to help put things right when they go wrong. This should also extend to where we use contractors and other service providers. To have a visible presence that is organisation wide and has access to individual staff members to be able to 'test' that proactive complaint handling is embedded across all staff.
10. To gain assurance following the self-assessment, that the complaints team has the resources available to fulfil its obligations.
11. To receive regular updates on the volume, categories, and outcome of complaints, alongside complaint handling performance and take an inquisitorial approach when reviewing this information. The aim is to ensure that information presented to the governing body, provides sufficient assurance of a well-managed and customer focused complaints handling culture.

Responsibilities - Learning

12. To commission from the executive a self-assessment against Housing Ombudsman Spotlight reports and future good practice and facilitate a discussion with the CHADAB on how Housing Services can learn and improve from its recommendations. This should include consideration of relevant policies and procedures.
13. To require intelligence provided by the Housing Ombudsman is used to develop and improve services, gaining assurance that recommendations are actioned and, where necessary, reviewing policies, procedures and approaches to service delivery following Ombudsman reports.
14. To encourage a culture of effective cross-organisational and cross-department learning where operational teams collaborate with each other to produce improved service delivery.
15. To encourage a culture where senior management regularly review issues and trends arising from complaint handling with themes or trends being assessed and

reported to CHADAB, which identify potential systemic issues, serious risks or policies and procedures that require revision. To gain assurance that where revision or change is required, this is followed through and communicated to CHADAB and that residents are central to any change.

18.02.26