Complaints Policy

Lead Director: Executive Director of Communities & Regeneration

Reference: POL 06

Committee Review: Homes & Neighbourhoods

SMT Approval: 02/04/26

Review Date: 06/06/28

1. Introduction & Aim

1.1 At Cobalt Housing, we are committed to continually improving the services we provide for our customers. We welcome feedback, including complaints, as an opportunity to learn and improve our services. We use a complaints compensation matrix to ensure that we consider the impact on customers in a fair and reasonable manner when awarding compensation.

1.2 A clear and effective complaints handling process is essential for:

- Creating a positive complaints culture through continuous learning and improvement
- Ensuring easy access to the process and delivering fair, customer-focused resolutions
- Demonstrating learning and accountability in reports to customers, Board and Committees
- Complying with legislation (see section 15)

2. Policy Statement

2.1 This Policy sets out the principles we follow when managing complaints. It is designed to be clear, accessible and fair to all customers. We have an easy-to-read version of this Policy available which we have designed with our customers. This is available on our website.

2.2 The Policy supports Cobalt Housing's Governance Framework and corporate objective of delivering excellent customer services. We aim to meet legislative and regulatory obligations and provide high-quality, responsive services.

3. Definition of a Complaint

3.1 A complaint is an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the organisation, its staff or those acting on its behalf, affecting an individual customer or group of customers.

3.2 Customers do not need to use the word "complaint" for their concern to be treated as one.

3.3 A complaint is not a service request. A service request is when a customer contacts us to request action to be taken to put something right. Service requests are recorded, monitored and reviewed regularly.

3.4 If a customer is dissatisfied with how a service request has been handled or with the outcome, a complaint must be raised. The complaint will not impact on, or stall, any required actions to resolve the service request. The service request will continue to be monitored and progressed while a complaint is being investigated.

3.5 A complaint submitted via a third party or representative will still be handled in line with this Policy.

3.6 MPs and Councillors may make enquiries on behalf of their constituents / customers. To comply with General Data Protection Regulation (GDPR), provisions and guidance, we will only disclose/provide access to the part of the customer's personal information that is required to enable them to fulfil their duties in this role without the need for the customer's express written consent.

4. Accessibility and Awareness

4.1 We are committed to making reasonable adjustments for customers with disabilities or additional needs, in accordance with the Equality Act 2010.

4.2 We provide translation services in cases where customers require them. Complaints Resolution Officers have access to a telephone interpretation service. Both complaints and customer satisfaction feedback is regularly reviewed to improve services, particularly for those with protected characteristics.

4.3 Complaints Resolution Officers receive enhanced and specialised training and guidance to deliver reasonable adjustments and monitor complaints in accordance with the Equality Act 2010 considering a customer's protected characteristics. This will ensure equity in accessing the complaints service.

4.4 Examples of reasonable adjustments include:

- Documents in large print or alternative formats
- Language interpreters or help with interpreting documents
- Use of email, telephone or post
- Communication via a representative
- Adjusted timescales where appropriate
- Meetings in person

5. Ways to contact us

5.1 Cobalt Housing is dedicated to ensuring our complaints process is accessible and inclusive. Customers can make a complaint through the following methods:

- The MyCobalt Resident Portal
- Online form on our website (www.cobalthousing.org.uk)
- Phone: 0330 303 2222 (Monday to Friday, 9am to 5pm, Wednesday 9am to 3pm)
- Visiting our office 199 Lower House Lane L11 2SF
- With support from our Officers
- In writing to Cobalt Housing 199 Lower House Lane L11 2SF

5.2 We will consider any reasonable adjustments needed throughout the complaints process to ensure it is accessible for all customers.

6. Exclusions

6.1 While we aim to resolve all dissatisfaction fairly and transparently, some matters fall outside the scope of this Policy, and we do not consider them to be a complaint. These include:

- The issue giving rise to the complaint occurred over twelve months ago or the customer became aware of it over 12 months ago. We will, however, consider complaints outside of this period if there are deemed to be good reasons. This decision will be made by the complaints manager.
- Matters that have previously been considered under the Complaints Policy where the complaint is the same
- Complaints from providers of services to Cobalt - contractual arrangements apply in such cases
- Cases where legal proceedings have already started related to the issue. Matters such as disrepair cases and insurance claims – these will be dealt with through our legal and insurance processes (please see 6.3 below)
- Cases where a customer is taking a matter to court or if the matter is being dealt with by another statutory agency that has the power to resolve the complaint

6.2 If we decide not to accept a complaint, we will inform the customer in writing with a detailed explanation and explain the customer's option to contact the Housing Ombudsman.

6.3 Court Action or Insurance Claims - if a customer has initiated court action or an insurance claim against Cobalt Housing regarding the same issue(s) covered by their complaint, and legal proceedings have started, these elements of the complaint will be excluded from our complaints process. However, this does not affect the customer's right to make a complaint about unrelated matters. A customer can still raise a complaint if they have taken any legal action including at the pre action protocol stage up to court proceedings being filed and formally initiated.

6.4 When dealing with a tenancy management issue, dissatisfaction with a decision will be dealt with through the appeals process. The customer will be notified of this in writing and advised how to appeal. These instances will be dealt with outside of the Complaints Policy.

6.5 This Policy does not cover complaints where there is an alternative legal route, or where legal proceedings are either underway, concluded, or relate to the same subject matter. It does not cover any claims for loss or injury involving colleagues, customers or the public. Cobalt has public and employers' liability insurance, so any such claims received will be passed to our insurers to deal with in line with the insurance policy requirements.

6.6 All cases will be handled confidentially and in compliance with GDPR requirements. In cases of disrepair, accessing services should not be restricted, and a complaint may still be logged for other issues (e.g., repairs unrelated to the disrepair claim). If there is significant impact or long-term inconvenience to the complainant, the Assistant Director or Executive Director may consider awarding higher discretionary compensation on a case-by-case basis. Claims for injury or substantial loss will be treated as insurance claims and forwarded to our insurers.

7. Policy Principles

7.1 We will clearly explain if the desired outcome is not possible or proportionate.

7.2 Throughout, we will consider:

- The customer's desired outcome
- The actions required to resolve the issue
- Any urgent needs, vulnerabilities or reasonable adjustments

7.3 Where a key issue of a complaint relates to legal obligations, we will clearly explain this and provide copies of any relevant policies, documents or legislation that may help the customer to understand our decision.

7.4 We will keep customers regularly updated about the progress of their complaints. We will adhere to any reasonable agreements with customers in terms of frequency and method of communication.

8. Complaint Handling Staff

8.1 Dedicated Complaints Resolution Officers oversee the complaints process, ensuring all complaints are handled fairly and in line with this Policy and relevant standards.

8.2 At the initial stage, the Complaints Resolution Officer will work with the customer to understand the root cause of the problem in a sympathetic manner. They will lead the process, supporting the customer to achieve a fair and reasonable resolution.

8.3 They will discuss if any reasonable adjustment is required and will aim to ensure our communication is clear and simple.

8.4 Trained Complaints Resolution Officers are responsible for investigating complaints and responding to customers in a timely and professional manner.

8.5 Complaints Resolution Officers will:

- Act independently, fairly, and sensitively
- Communicate clearly and respectfully
- Engage staff at all levels to enable swift resolution
- Avoid conflicts of interest (escalating to managers when needed)

- Ensure all parties, including staff involved, can respond to findings before a final decision is made

9. Complaints – Stage One

9.1 A Complaints Resolution Officer will contact the customer within 2 working days of receipt of a complaint. They will clarify the issues, including the customer's desired outcome. Complaints will be acknowledged in writing and logged at Stage 1 within 5 working days of receipt. If we fail to make contact with the customer despite attempts, we will still acknowledge and log the complaint within 5 working days of receipt. The acknowledgement of the complaint will set out our understanding of the complaint, the outcomes the customer is seeking and which aspects of the complaint we are or are not responsible for.

9.2 We will investigate and respond within 10 working days. If more time is needed, approval to extend this target is to be sought from the manager or Assistant Director. The extended time will not exceed 10 working days without good reason. We will:

- Explain the reason
- Set a new response deadline (up to an additional 10 working days)
- Seek agreement from the customer

9.3 If the agreement cannot be reached or timeframes are exceeded, customers will be signposted to the Housing Ombudsman.

9.4 Recurring or historical issues will be considered where relevant to resolving the current complaint.

9.5 Our response will:

- Address all points raised
- Explain decisions clearly
- Set out actions taken or planned
- Reference relevant policies or legislation

9.6 All agreed actions will be tracked and completed promptly, and updates provided. New issues raised during the investigation will be included in the Stage One response if appropriate to the original complaint and if the Stage One response has not been issued. Otherwise, they will be logged as a new complaint.

9.7 Upon completion of Stage One, we will confirm in writing:

- The complaint stage
- Our decision and rationale
- Any remedy or outstanding action
- Escalation options to Stage Two if the customer remains dissatisfied

10. Complaints – Stage Two

10.1 If the customer is not satisfied with the Stage One outcome, they may request a Stage Two review within 20 working days of receiving the response.

10.2 We will work with the customer to understand how we can try to resolve the complaint and listen to why they are dissatisfied.

10.3 We will confirm the scope of the complaint and the outcomes the customer is seeking

10.4 The Stage Two review will be conducted by someone not involved in the original investigation

10.5 Stage Two complaints will be acknowledged, defined and logged within 5 working days of the escalation request being received. A response will be issued within 20 working days of escalation. Extensions may be agreed up to an additional 20 working days with good reason and the reasons explained to the customer. Approval to extend must be sought through the manager or Assistant Director.

10.6 The Stage Two response will include:

- The complaint stage and details
- Our final decision and reasoning
- Any remedy or outstanding action
- Confirmation that internal complaint stages are complete

10.7 If further delays occur and agreement is not reached; the customer will be signposted to the Housing Ombudsman. Customers can access the Housing Ombudsman Service at any stage of the complaints process for impartial advice and support. Housing Ombudsman Service PO Box 1484, Unit D, Preston, PR2 0ET. Telephone: 0300 111 3000. Email: info@housing-ombudsman.org.uk. Website: www.housing-ombudsman.org.uk

11. Putting Things Right

11.1 Where something has gone wrong, we will acknowledge this and set out the actions we have already taken, or intend to take, to put things right. This could be carrying out a repair, arranging a home visit or applying a correction.

11.2 We will also address any wider learning or systemic issues identified.

11.3 In considering remedies, we may factor:

- Duration and frequency of the issue
- Severity and number of failures
- The cumulative impact
- Customers' individual circumstances or vulnerabilities

11.4 Our proposed resolution will be clearly explained and completed within the agreed timescales.

11.5 Where compensation is appropriate, we will consider financial loss, inconvenience, distress, or time spent pursuing the complaint. The impact to the customer will be considered in line with the Housing Ombudsman guidance. Our Complaints Compensation Matrix will be followed.

11.6 If appropriate, we may need to seek legal advice and will keep the customer informed.

11.7 Any resolution will clearly set out what will happen and by when. Any resolution proposed will be followed through to completion.

12. Continuous Learning and Improvement

12.1 Transparency and accountability are essential to our complaints handling approach. We share learning outcomes through our website, customer communications, and annual reports.

12.2 The Senior Management Team (SMT) has oversight of complaints. The Homes and Neighbourhoods Committee (HNC) reviews complaints information through their quarterly update reports. All feedback from customers, including from complaints is collated and shared in Customer Feedback Learning meetings with service managers and directors. Trends and themes are identified and actions for continuous improvement are put in place and tracked. Outcomes are shared with the Member Responsible for Complaints, SMT, HNC and customers.

12.3 We embed learning across the organisation, using complaints to improve customer experience and create better outcomes

13. Risk Management

The key risk associated with non-delivery of this Policy is:

Risk Register Ref:	**Risk:**
GOV 18 Complaints and Discretionary Compensation	Failure to implement a formal Complaints and Discretionary Compensation Policy
Risk Consequences:	**Management and Mitigation:**
• Reputational Risk • Housing Ombudsman Service (HOS) investigation, resulting in maladministration and compensation • Regulatory - Regulator of Social Housing (RSH) investigation, e.g., failure to adhere to the Consumer Standards. • Loss of ISO accreditation Financial Potential claims	• Media and communications support in an incident. • Agreed targets for timely response to complaints. • Staff training and guidance available. • Annual regulatory and Ombudsman self-assessment and audit of Complaints process and outcomes completed. • Analysis and reporting of root causes, implementation of corrective and preventative actions and monitoring of effectiveness of actions. • Insurance guidelines and specialist staff to deal with insurance claims

14. Responsibility

14.1 The Assistant Director of Housing and Communities is responsible for implementing and overseeing this Policy.

14.2 A named Board member will act as the Member Responsible for Complaints (MRC), in compliance with the Housing Ombudsman's requirements.

14.3 Senior leaders are responsible for ensuring awareness and delivery of this Policy across their teams.

14.4 The Homes & Neighbourhood Committee (HNC) will receive quarterly reports on complaints performance to analyse the data and ensure that customer feedback is being implemented.

15. Regulatory & Legislative Compliance

15.1 This Policy ensures compliance with:

- The Housing Ombudsman Complaint Handling Code (April 2024)
- The Regulator of Social Housing's Transparency, Influence & Accountability Standard
- The Equality Act 2010
- General Data Protection Regulation (GDPR)
- Right to Repair (Introduced as part of the Citizens Charter Scheme on 1st April 1994)
- Right to Compensation for Improvements (introduced as part of the Citizens Charter Scheme on the 1st of April 1994)
- Home Loss and Disturbance Payments (under the terms of the Land Compensation Act 1973 as amended)
- Localism Act 2011

15.2 We conduct an annual self-assessment against the Housing Ombudsman Complaint Handling Code to ensure we remain compliant with its requirements. Further details are available on our website.

16. Links to Other Key Documents

This Policy is linked to the following Cobalt Housing policies and frameworks:

- Access to Housing
- Neighbourhood Management Policy
- Tenancy Policy
- Responsive Repairs Policy
- Damp and Mould Policy
- Anti-Social Behaviour Policy

17. Governance of this Policy

Equality Diversity & Inclusion (ED&I)	An Equality Impact Assessment (EQIA) was completed Date: 23/05/25
Financial and Links to VfM	Compensation is applied to complaints in accordance with the Complaints Compensation Matrix, which is aligned to the Housing Ombudsman's Guidance.
Privacy and Data Protection	Customer data is handled in line with Policy.
Health and Safety	There is no impact on the health and safety of customers or staff.
Development and Consultation	Customers and stakeholders were consulted Date: August 2024 Customers produced an easy to read guide which has subsequently been reviewed as part of this Policy review.