DARLINGTON
Borough Council

Housing Services

Complaints, Compliments, and Comments Procedure 2026

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1 Introduction

1.1 Our aim is to put you first and provide you with the best possible service. To make this aim a reality it is important that you have the opportunity to tell us what you think about the services we provide. The Housing Complaints, Compliments and Comments Procedure is one way you can do this. You can tell us when we get things wrong so we can put them right. You can also tell us when we get things right, make comments about the things we do and suggest new ways of doing things.

1.2 We understand that sometimes it is difficult to complain. If you do need to make a complaint, we will take your concerns seriously. We will treat you fairly and with respect and you can be confident that you will not receive a poorer service as a result. If we uphold your complaint, you can expect an apology and for us to put things right quickly. What we ask in return is that you treat our staff with respect.

1.3 This procedure sets out how we will deal with your complaints, compliments and comments, in accordance with the Housing Ombudsman's Complaint Handling Code (the Code). The purpose of the procedure in relation to complaints is to resolve your complaint and put you back in the position you would have been in before having to make the complaint. Some Housing complaints will be dealt with under the Council's Corporate Complaints Procedure. If your complaint is about an Adult or Children's Social Care Service or a Public Health service, we will deal with it under the appropriate complaints procedure. This is a legal requirement. If your complaint is about any other Council service we will deal with it under the Council's Corporate Complaints, Compliments and Comments Procedure. If your complaint is about a Councillor, it will be dealt with in accordance with the arrangements the Council has put in place in accordance with the Localism Act 2011. For more information see section 7.

1.4 This procedure has two stages in relation to complaints following which the matter may be considered by the Housing Ombudsman. We will try to resolve the majority of complaints at stage 1. At stage 1 the Housing Complaints Response Officer will usually respond to your complaint and try to put things right. If you are not happy with the outcome you can ask for your complaint to be investigated at stage 2. Stage 2 complaints will usually be investigated by the Complaints Investigator or Complaints and Information Governance Manager. If you still remain dissatisfied you may refer the matter to the Housing Ombudsman Service.

1.5 It is important that all complaints, compliments and comments are made under the Council's procedures so we can monitor performance across the Council, identify topics and trends and improve our services accordingly.

1.6 The Council has appointed the Complaints and Information Governance Manager in line with the Code to be accountable for complaint handling. The Complaints and Information Governance Manager will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.

1.7 In addition to this, as required by the Code, the Council has appointed the Cabinet Member, Portfolio Holder for Health and Housing to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').

2 Complaints and Information Governance Team

2.1 In relation to its complaints function the team is made up of the Complaints Manager, Complaints Investigator and the Complaints and Information Governance Assistants. The team oversees all of the complaints, compliments, and comments procedures the Council operates. The team provides advice and information to complainants, members of staff and Councillors.

2.2 The team can provide information about the Council's complaints procedures in other formats and help arrange Advocates and Interpreters. The team can also provide advice on the support available for staff involved in complaints.

2.3 The team records and acknowledges all complaints made under the Council's complaints procedures, provides support to staff responding to complaints and monitors the progress of complaint investigations. The Complaints Investigator or the Complaints Manager usually undertake stage 2 investigations in relation to Corporate and Housing Complaints. The team uses the information it collects about complaints to identify any topics and trends and help improve services.

2.4 The team is also the central point of contact for the Housing Ombudsman.

2.5 You can contact the team by telephone, email, in writing, in person, by video call or by any other reasonable means.

Complaints and Information Governance Team

Telephone: **01325 406777**

Email: complaints@darlington.gov.uk

On-line form: www.darlington.gov.uk/complaints

Write to or visit:

Complaints and Information Governance Team
Darlington Town Hall
Darlington
DL1 5QT

N.B. Please arrange an appointment prior to visiting to ensure someone is available to meet with you.

3 Defining complaints and service requests

3.1 Darlington Borough Council defines a service request as:

"A service request is a request from a resident to the landlord requiring action to be taken to put something right".

3.2 Darlington Borough Council defines 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 an individual resident or group of residents."

You do not have to use the word 'complaint' for it to be treated as such. If you express dissatisfaction we will always give you the choice to make a complaint.

4 Who can use the complaints, compliments, and comments procedure?

4.1 The following people can use this procedure:

a. A person who is or has been in a landlord/tenant relationship with the Council. This includes people who have a lease, tenancy, licence to occupy, service agreement, or other arrangement to occupy premises owned or managed by the Council. If the complaint is made by an ex-occupier, they must have had a legal relationship with the Council at the time that the matter complained of arose.

b. A third party or representative of any of the people above who has that person's consent to make a complaint on their behalf.

c. A third party or representative of any of the people above who does not have the capacity to give their consent to someone to act on their behalf. The Council must be satisfied that the representative has the legitimate authority to act on the person's behalf.

d. A person with the legal capacity to make a complaint on behalf of any of the people above who is deceased.

5 How can you contact us?

5.1 We have tried to make it as easy as possible for you to tell us what you think. If you know the member of staff who delivers your service, you can speak to them about the problem.

5.2 This procedure, information about the Housing Ombudsman and Housing Ombudsman's Complaints Handling Code are published on our website: www.darlington.gov.uk/complaints

5.3 We also have a complaints leaflet containing a complaints form, available in all Council buildings and on our website.

5.4 You can write to us, email **complaints@darlington.gov.uk** or you can use our on-line complaints form www.darlington.gov.uk/complaints

5.5 You can also telephone, make an appointment to visit the Complaints and Information Governance Team or make your complaint by any other reasonable means (contact details on previous page).

5.6 Where we identify a potential complaint, compliment, or comment on our social media platforms we will sign post the resident in the direction of this procedure.

6 What the procedure covers

6.1 This procedure covers compliments*, comments* and complaints about the Council in relation to our provision and management of social housing. Complaints falling within the jurisdiction of the Housing Ombudsman can be considered under this procedure. Further information on what complaints the Housing Ombudsman can consider is available here. This may include complaints about:

a. A failure to provide accurate information.
b. Delays in decision making.
c. Disrepair claims*.
d. Dissatisfaction with a decision.
e. Delays in providing services.
f. Failure to deliver services.
g. The appropriateness of services.
h. The quality of services.
i. The lack of services.
j. Changes to services.
k. A failure to follow the Council's policies and procedures.
l. The lack of proper procedures.
m. The attitude or behaviour of staff*.
n. A Council policy*.
o. Contracted services*.

This list does not cover everything but provides a good idea of the kinds of complaints the Council might receive.

**Further details are provided in this section*

6.2 Disrepair claims

a. Complaints relating to Housing Conditions Claims (Disrepair Claims) can be raised using the landlord's complaint process up until the point legal proceedings have been filed.6.3Complaints about the attitude or behaviour of staff

b. Where your complaint relates solely to the attitude or behaviour of a member of staff, we may deal with it under the Council's employment procedures.

6.4 Complaints involving more than one department

a. If your complaint involves more than one department, the department dealing with the main elements of your complaint will take the lead. They will work alongside the other department(s) and provide you with a single response which will cover all the elements of your complaint.

6.5 Complaint about a Council policy being discriminatory

a. If you simply disagree with a Council policy, we will not investigate the matter as a complaint unless we believe the policy is likely to give rise or contribute to a systemic service failure. If we decide not to investigate the matter as a complaint, we will take your comments on board.

b. Where you feel a Council policy unfairly discriminates against a particular group of people with protected characteristics as set out in the Equality Act 2010, we will investigate the matter as a complaint.

6.6 Complaints about contracted services

a. If you receive a service from a contractor on behalf of the Council, we encourage you to contact the Council's Complaints Team in the first instance.

b. Contractors should be aware that the Council is subject to the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and the Data Protection Act 2018. The Council may be requested to disclose information in relation to complaints about a service provided by a contractor and, although every effort will be made to consult the organisation concerned, the decision to disclose or withhold information will ultimately be made by the Council.

6.7 Anonymous complaints

a. If you make an anonymous complaint we will investigate it, however, we will not be able to provide you with a response. If you don't want to give your name because you are worried that it might affect your service, please be assured this will not be the case.

b. If you do not want to speak to the member of staff who provides the service, you can contact the Complaints and Information Governance Manager. For contact details see section 2.5.

6.8 Compliments

a. Compliments are a great way of telling us when we get things right. If you pay someone a compliment in person, they will pass the details on to the Complaints and Information Governance Team to be recorded.

b. If you pay someone a compliment via the Complaints and Information Governance Team, they will record it, send you an acknowledgement and pass it on to the appropriate person.

c. Compliments can help us share good practice and improve services.

6.9 Comments

a. Comments are also a great way of sharing your ideas about particular projects or services in general. If you pass your comments on to a member of staff, they will pass the details on to the Complaints and Information Governance Team to be recorded.

b. If you make a comment via the Complaints and Information Governance Team, they will record it, send you an acknowledgement and pass it on to the appropriate service.

c. Where a response is required, the service will provide one within 25 working days of the date we receive your comment.

d. The Complaints and Information Governance Team will record any actions taken as a result of your comment.

7 What the procedure does not cover

Some things are not covered by this procedure because they are either covered by another policy or procedure or are outside the Council's control. When we decide a complaint is non-qualifying, we will explain the reasons why and advise you of your right to refer the matter to the Housing Ombudsman.

They include:

a. A service request i.e. a request from a resident to the landlord requiring action to be taken to put something right. We will raise a complaint if you expresses dissatisfaction with the response to your service request. Making a complaint will not prevent/stall or impact on actions needed to resolve any immediate issues (i.e. the service request).

b. Complaints about the actions of a neighbour.

c. Matters where a separate means of resolution exists (for example, an Appeals Process, Courts, or Tribunals).

d. Matters dealt with under the Council's Employment Procedures.

e. Disrepair Claims after the point legal proceedings have been filed.

f. Insurance claims against the Council*.

g. Corporate complaints (complaints about any other Council service) *.

h. Complaints about adult social care services*.

i. Complaints about children's social care services*.

j. Complaints about the Council's public health functions*.

k. Complaints that have already been investigated under this or another of the Council's complaints procedures.

l. Complaints that have been investigated by the Housing or Local Government Ombudsman.

m. Complaints made 12 months after the date you learned that something went wrong or of the issue occurring (in some cases we may consider your complaint)*.

n. Complaints relating to freedom of information and environmental information requests*.

o. Complaints about Councillors*.

p. Complaints outside the Council's jurisdiction (for example, complaints about utilities companies).

q. Complaints subject to legal proceedings*.

r. Complaints purely expressed in terms of the level of service charge or rent this may be a matter for the First Tier Tribunal – Property Chamber (FTT). We will however look behind such complaints to understand what the concern with the rent is and whether this gives rise to a complaint that we could investigate. For example, where the level of rent is disputed due to the poor condition of the property.

s. Complaints from contractors about their commercial or contractual relationships with the Council.

t. Complaints about terms of employment or other personnel issues, or the ending of a service tenancy following the ending of a contract of employment.

**Further details are provided in this section*

7.1 Housing Conditions Claims (Disrepair Claims)

a. If you have reported that repairs are needed in your property and they are not done or unreasonably delayed, you should make a complaint in the first instance. Should you remain dissatisfied, you may instruct a solicitor to deal with this by bringing a legal disrepair claim.

7.2 Insurance Claims

a. We will not usually look into your complaint if the issue is something which should be dealt with as an insurance claim against the Council.

7.3 Corporate, Adult and Children's Social Care and Public Health complaints, compliments, and comments

a. Corporate complaints (complaints about any other Council service excluding Adult and Children's Social Care) are dealt with under the Council's Corporate Complaints, Compliments and Comments Procedure.

b. Adult and children's social care services are required by law to have their own complaints procedures. You can make a complaint, compliment or comment about an adult or children's social care service whether that service is provided directly by the Council or by a contracted agency or care home on behalf of the Council.

c. We will deal with complaints about the exercise of our Public Health functions in accordance with the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

d. To make a complaint contact the Complaints and Information Governance Team, see contact details in section 2.

7.4 Complaints made 12 months after the date you learned that something went wrong or of the issue occurring

a. Though not exclusive, we may accept your complaint for one or more of the following reasons:

i. You are a vulnerable adult and did not complain because you were scared of what might happen.

ii. We believe that there would be a benefit to you in looking into your complaint.

iii. There is likely to be enough information available from the time the incident happened to enable an effective and fair investigation to be carried out.

iv. There are enough people available from the time the incident happened to enable an effective and fair investigation to be carried out.

v. Where action needs to be taken in light of human rights-based legislation.

vi. Where complaints concern safeguarding or health and safety issues.

7.5 Complaints relating to freedom of information, environmental information and subject access requests

a. Complaints about freedom of information and environmental information requests will be the subject of an internal review undertaken by the Complaints and Information Manager. Complaints about subject access requests will be considered under the Council's Corporate Complaint Procedure. If you are unhappy with the outcome of the review you can refer the matter to the Information Commissioner.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: **0303 123 1113**
Website: **www.ico.org.uk**

7.6 Complaints about Councillors

a. The Localism Act 2011 requires "arrangements" to be put in place under which allegations that a member or co-opted member of the Authority (or of a Parish Councillor), or of a Committee or Sub-Committee of the authority, has failed to comply with that Authority's Code of Conduct can be investigated and decisions made on such allegations.

b. For more information on the Member's Code of Conduct or to make a complaint on-line visit: www.darlington.gov.uk/complaints

7.7 Complaints subject to legal proceedings

a. We will not look into your complaint if it has been the subject of legal proceedings, and you raised the subject matter of the complaint as part of those proceedings.

b. We may not look into your complaint where legal proceedings have started, this is defined as the details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.

c. In certain circumstances we may look into your complaint, for example, where putting it on hold would result in you losing a service or not being provided with a service to meet your needs.

8 Advocacy and representation

8.1 If you need some help to make your complaint the Complaints and Information Governance Team can help you arrange an advocate. An advocate is someone who can speak on your behalf.

8.2 You might prefer a friend, relative, other representative or third party to make a complaint on your behalf. If someone is complaining on your behalf, you must tell us you have given your consent for us to share your personal information with them. The easiest way to do this is to fill in one of our complaints forms or by using our on-line form.

8.3 If you are acting on behalf of someone, we will decide whether or not you are acting in their best interest before investigating the complaint.

9 Involvement of councillors and MPs in the procedure

9.1 If you have any concerns, it may be helpful to discuss them with your local councillor. Your councillor can help you decide on the best course of action.

9.2 This may involve putting you in touch with the appropriate council officer or making an enquiry on your behalf.

9.3 In cases where you need to make a complaint your councillor should refer you to the Complaints and Information Governance Team. They can make a complaint on your behalf and support you through the process. If your councillor does make a complaint on your behalf, we will copy them in to all correspondence unless they request otherwise.

9.4 Whether or not you seek advice from a Councillor you can expect a high-quality service.

9.5 The same principles will apply where you make your complaint via your Member of Parliament (MP).

10 Accessibility and equal opportunities

10.1 We are committed to making sure that everyone has equal access to all our services, including the complaints procedure. We will do the following, including making reasonable adjustments to meet the needs of individuals with protected characteristics, as defined in the Equality Act 2010.

10.2 To help make sure our complaints procedure is easily accessible we:

a. Use plain language.

b. Accept complaints over the phone or in person, in writing, by e-mail, via our website or by any other reasonable means.

c. Provide information and responses in Braille, large print, audio, easy read format and other languages where needed.

d. Provide translators (including sign language translators) where needed.

11 The Procedure

11.1 Stage 1 (Local Resolution)

a. Stage 1 is where we try to resolve your complaint locally within the service you are complaining about. We aim to resolve the majority of complaints at stage 1 of the procedure.

b. At stage 1 we will acknowledge and log your complaint within **five working days of the complaint being received**. We will set out our understanding of your complaint, the outcomes you are seeking and which aspects we are and are not responsible for. If any aspect of your complaint is unclear, we will ask you for clarification.

c. We will include any additional points of complaint in our stage 1 response if it has not been issued, unless they are unrelated or doing so would unreasonably delay the stage 1 response. If we decide not to include the additional issues in the ongoing complaint, we will log the matter as a new complaint.

d. We will appoint a Responding Officer to look into your complaint. This will usually be the Housing Complaints Response Officer.

e. We will respond to your complaint once the answer is known and not when all outstanding actions are completed. We will provide you with an update on any outstanding actions.

f. The Responding Officer will contact you with a thorough response **within 10 working days of your complaint being acknowledged and logged**. If this is not possible, they will contact you with an explanation and a date by when the stage one response should be received. This should not exceed a further **10 working days** without good reason.

g. When we inform you about an extension to these timescales, we will provide you with the contact details of the Housing Ombudsman and agree suitable intervals for updating you on the progress of your complaint.

h. If you are unhappy with the outcome at stage 1 you should contact the Complaints and Information Governance Team to request moving your complaint to stage 2.

i. If you have not received a response by the time the stage 1 target date is up, and you have not heard from the Responding Officer you should contact the Complaints and Information Governance Team.

j. We may need to agree to extend the timescale for response where people are unavailable due to sickness absence, annual leave, or other commitments or where we are waiting for an advocate or translator to be appointed. This will be the exception and not the rule. The Responding Officer will contact you where it is necessary to extend the timescale for response. If you do not receive a response by the agreed date, you should contact the Complaints and Information Governance Team.

k. If your complaint is about the Housing Complaints Response Officer, we may ask their line manager to look into your complaint.

11.2 Stage 2 (Formal Investigation)

a. If you are unhappy with the outcome of your stage 1 we will formally investigate your complaint at stage 2 of the procedure.

b. At stage 2 we will acknowledge and log your complaint within **five working days of your escalation request being received**. We will set out our understanding of your complaint, the outcomes you are seeking and which aspects we are and are not responsible for. If any aspect of your complaint is unclear, we will ask you for clarification. We will not require you to provide reasons for requesting your complaint be escalated to Stage 2.

c. We will appoint an Investigating Officer to look into your complaint. This will usually be the Complaints Investigator or Complaints Manager.

d. We will respond to your complaint once the answer is known and not when all outstanding actions are completed. We will provide you with an update on any outstanding actions.

e. The Investigating Officer will contact you with a thorough response within **20 working days** of your complaint being acknowledged. If it is not possible to respond within **20 working days** we will provide an explanation and a date when the stage two response will be received. This should not exceed a further **20 working days** without good reason.

f. If it is not going to be possible to investigate your complaint within 40 working days the Investigating Officer will contact, you and explain the reason why. When we inform you about an extension to these timescales, we will provide you with the contact details of the Housing Ombudsman and agree suitable intervals for updating you on the progress of your complaint.

g. We may need to extend the timescale for response where people are unavailable due to sickness absence, annual leave or other commitments or where we are waiting for an advocate or translator to be appointed. This will be the exception and not the rule. The Investigating Officer will contact you where it is necessary to extend the timescale for response. If you do not receive a response by the agreed date you should contact the Complaints and Information Governance Team.

h. Where your complaint is about the complaints procedure or where there is a potential conflict of interest, we will usually appoint the MRC to investigate your complaint.

12 Housing Ombudsman

12.1 The Housing Ombudsman will consider whether your complaint comes within their jurisdiction, investigate as appropriate and come to a decision on your complaint.

12.2 Following the Housing Ombudsman's consideration of your complaint we will not consider the matter further.

12.3 The Housing Ombudsman's contact details are:

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**

13 Putting things right

13.1 When you make a complaint, we will ask you what you would like us to do to put things right. We will take your views into account, but it may not always be possible to give you exactly what you want. Where this is the case, we will discuss the matter with you and come to an agreement.

13.2 If we uphold your complaint, you can expect an apology and for us to put things right quickly. We may also propose a number of other actions. The aim of these actions is to put you back in the position you were in before the problem occurred and make amends for any loss you may have suffered as a result. Although we will consider each complaint on its merits, we will try to ensure we offer similar remedies for similar situations.

13.3 Remedies may also include:

- Apologising.
- Acknowledging where things have gone wrong.
- Providing an explanation, assistance, or reasons.
- Taking action if there has been delay.
- Reconsidering or changing a decision.
- Amending a record or adding a correction or addendum.
- Providing a financial remedy.
- Changing policies, procedures, or practices.

We will take account of the guidance issued by the Housing Ombudsman when deciding on appropriate remedies.

14 Recording and reporting

14.1 We will produce an annual complaints performance and service improvement report for scrutiny and challenge, which will include:

a. an annual self-assessment against the Code to ensure this procedure remains in line with its requirements.

b. a qualitative and quantitative analysis of our complaint handling performance. This will also include a summary of the types of complaints we have refused to accept.

c. any findings of non-compliance with the Code by the Ombudsman.

d. the service improvements made as a result of the learning from complaints.

e. any annual report about our performance from the Ombudsman.

f. any other relevant reports or publications produced by the Ombudsman in relation to our work.

14.2 The annual complaints performance and service improvement report will be reported to our governing body (or equivalent) and published on the section of our website relating to complaints. The governing body's response to the report will also be published alongside this.

15 Satisfaction surveys

15.1 Once we have dealt with your complaint, we will send you a satisfaction survey. This is about how you feel we handled your complaint. For example, whether or not we kept you informed, met timescales and so on, it is not about the outcome of your complaint. We would appreciate you taking the time to fill this in and help us improve the way we handle complaints.

16 Unreasonably persistent complainants

16.1 We do not normally limit contact with our offices. However, if you display unreasonably persistent behaviour for example, you contact our offices so many times that it hinders our handling of your complaint we may take action to limit your contact.

16.2 We would not take action simply because you are not satisfied with the outcome of our investigation or because you refer your complaint to the Housing Ombudsman. That is your right and pursuing your complaint through the appropriate channels is not the same as being unreasonably persistent.

16.3 For more information contact the Complaints and Information Governance Team.

17 Record keeping and data sharing

17.1 During the complaints process a file containing correspondence and other relevant documentation (such as written notes, transcripts of conversations, etc) will be maintained by the Responding Officer and/or Investigating Officer.

17.2 Following the conclusion of each stage of the Council's complaints procedure the Responding/Investigating Officer will send their response and any supporting documents to the Complaints and Information Governance Team. A copy of the response will also be uploaded to your tenancy record. Any irrelevant information will be disposed of in a secure manner (i.e. shredding of paper documents and deletion from electronic systems) by the Responding/Investigating Officer.

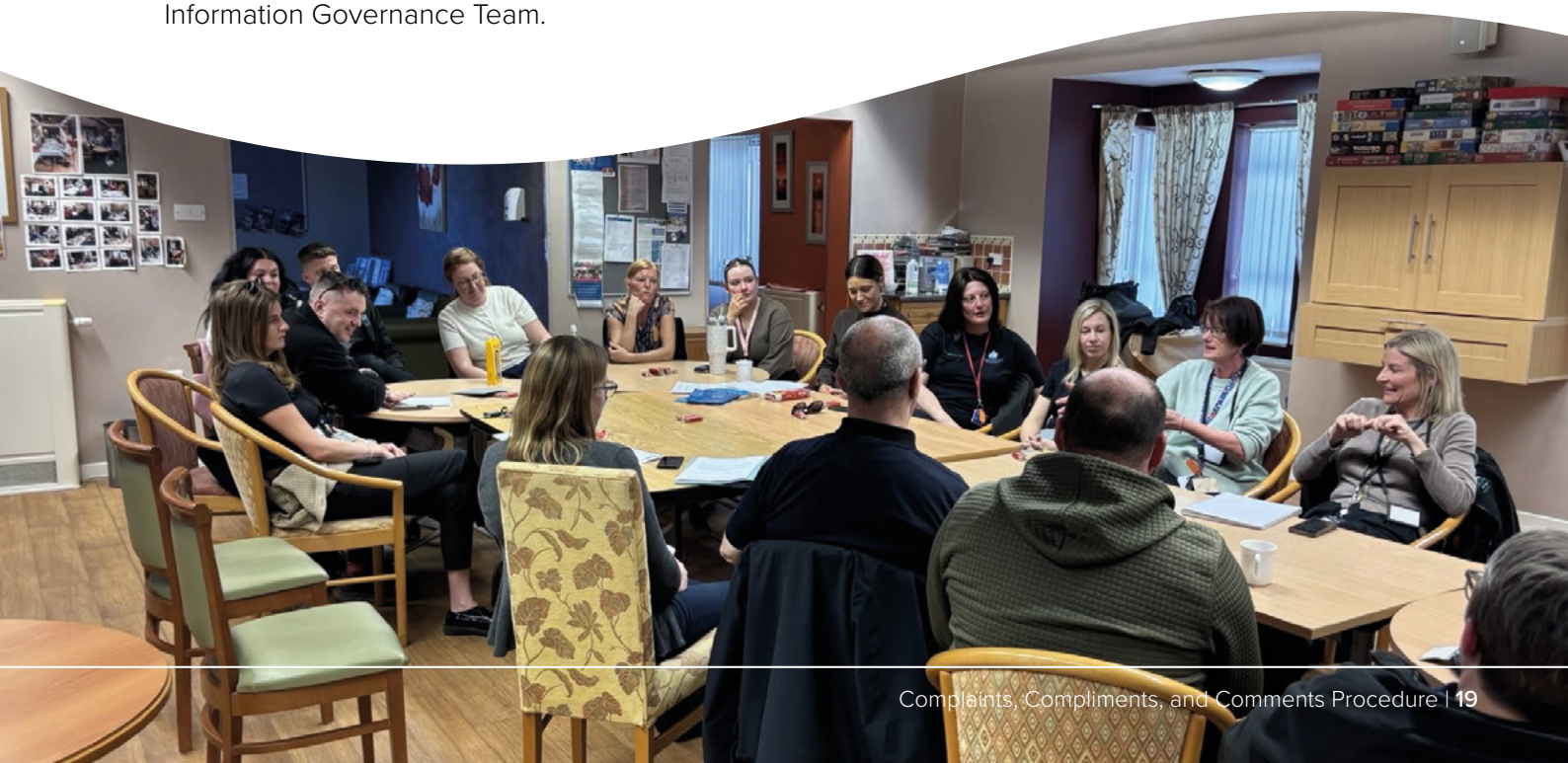
17.3 All records will be kept in line with the Council's retention periods.

17.4 During the complaints process it may be necessary to share your personal details with council officers. We will only share details that are relevant to your complaint. Such details will only be recorded by the Responding/ Investigating Officer and the Complaints and Information Governance Team.

17.5 If you decide to take your complaint to the Housing Ombudsman your personal data may be shared with the Borough Solicitor.

17.6 If you are classified as an unreasonable or unreasonably persistent complainant some of your personal details will be communicated to complaints officers, director's personal assistants, Councillors, senior managers, and customer services staff. This may include your name, contact details, a physical description (to assist staff who have face-to-face contact with complainants) and details of the behaviour that has resulted in the application of the policy.

17.7 All personal data will be securely stored and will be processed in line with the Council's Data Protection Policy and the provisions of the UK General Data Protection Regulations (GDPR) and the Data Protection Act 2018. Further details are contained in our Privacy Notice.



Get in touch

01325 406777

complaints@darlington.gov.uk

www.darlington.gov.uk/the-council/complaints-compliments-and-comments/housing-complaints

Online form: selfserve.darlington.gov.uk/form/auto/complaints_compliments

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Borough Council