TOWER HAMLETS

London Borough of Tower Hamlets

Housing Complaints Policy and Procedure (For Council Tenants, Leaseholders, and Household Members)

2026-28

Policy and procedure		
Sets out the steps for responding to Stage 1 and 2 complaints.		
Date edited:	17/08/2026	
Author:	Shamima Khatun - Senior Business Development Officer	
Owner:	Abul Hussain - Head of Housing Governance, Assurance and Improvement	
Approved by:	TBC	
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Regulatory Standards, Legislation and Codes of practice

Regulator:	Housing Ombudsman Service
Legislation:	Social Housing (Regulation) Act 2023
Codes of practice:	Complaint Handling Code
The policy also operates in the context of:	Housing Complaints Compensation Policy

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1. Introduction

This policy sets out how the London Borough of Tower Hamlets (LBTH) will manage and resolve complaints related to the delivery of housing management services.

2. Purpose and aim

The purpose of this policy is to set out our approach to handling complaints from council tenants and leaseholders and resolving disputes on housing management issues.

The Council is committed to providing high-quality services and a positive customer experience. When things go wrong, we aim to resolve issues at the earliest opportunity and put things right quickly and fairly.

This policy aims to provide residents, stakeholders, and staff with clear guidance to ensure that the administration and management of complaints is fair and consistent.

As part of our complaints handling procedure, we will:

- Apologise
- Accept responsibility
- Put things right when they are in our control
- Use feedback from complaints to improve services

3. What is a complaint?

The Council uses the definition of a complaint as provided by the Housing Ombudsman (HO). For the purposes of this policy, a complaint is defined as:

> **'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council, its own staff, or those acting on its behalf, affecting a resident or group of residents'**.

A resident does not have to use the word complaint for it to be treated as such. Residents who express dissatisfaction will be given a choice to make a complaint.

4. Who can make a complaint?

Anyone who is a council tenant, leaseholder, or member of their household can make a complaint about the services they receive through the Council's housing management services. This includes services we deliver directly or those delivered through partners working for us (e.g. repairs partner or major works contractor).

4.1 Complaints through an advocate / third party

Where a complaint is received through an advocate/third party, it will be handled in line with the policy.

When receiving a complaint from someone acting on behalf of a resident, we will contact the resident to check they agree to be represented. If a resident wishes the Council to liaise directly with an advocate or representative, written consent must be provided. The Council will provide a consent form where required.

The resident will then be given the opportunity to have the advocate/third party deal with their complaint, and to be represented or accompanied when contacting the Council.

Where we are contacted by an elected member, such as a MP or Councillor, we will liaise with the resident regarding their complaint and include the MP or Councillor in the formal response. Where a response contains confidential information, consent to share it with elected members should not be assumed. Sensitive information will be redacted, or a separate response provided.

5. Matters that cannot be dealt with under this policy

The Council will consider the individual circumstances of the complaint but may refuse to accept a complaint based on the exclusions outlined below. If the Council decides not to accept a complaint, we will provide a detailed explanation to the resident setting out the reasons why the matter is not suitable for the complaints process. Residents have the right to challenge this decision by bringing their complaint to the Housing Ombudsman Service.

Exclusion	Description
Legal action and Disrepair	Where legal proceedings have been initiated by a resident through a Claim Form and Particulars of Claim, having been filed at court. These matters will be dealt with by the Council's legal department. Where the Council is taking legal action, the resident will need to use the legal process to oppose the claim.
Rent increases	Rents are set in line with the Government's Rent Standard. If the resident is unhappy with the rent charge or any increase, we will pass the enquiry to the relevant team, who will respond directly.
Service charge disputes	These are managed through our Leasehold Arrears Recovery Procedure.
Building Safety	Complaints about building safety risks i.e. structural failure and spread of fire or the performance of the Accountable Person as defined by the Building Safety Act 2022 will be managed outside of this process and in accordance with our Building Safety Complaints Policy. More information can be found here Building Safety concerns and complaints (towerhamlets.gov.uk)
A service request	Service requests are initial requests from a resident to the landlord requiring action to be taken to put things right. This is different to a complaint and any service requests made in the form of a complaint,

	such as reporting a repair or anti-social behaviour (ASB) will not be treated as a complaint. These will be recorded as a service request, monitored, and reviewed regularly. Submitting a complaint while the service request is being looked into will not affect or delay its resolution.
Historic complaints	We will normally only accept complaints about issues that occurred within the last 12 months, or where the resident became aware within the last 12 months. This helps ensure that we can carry out a full and fair investigation. However, the Council may exercise discretion to accept complaints submitted outside this timeframe where there are exceptional circumstances that explain the delay and it is still possible to carry out a fair investigation.
Complaints about other residents	We have a separate policy for dealing with ASB. We will consider complaints about the handling of the ASB case under our complaints process.
Matters which have already been dealt with	We will not re-visit or log new complaints on issues which have been previously dealt with through the Council's complaints, appeals or dispute procedures or where a court, tribunal or Ombudsman has already considered the matter.

We do not take a blanket approach to excluding complaints and consider the individual circumstances of each complaint.

6. How to complain

The Council recognises the importance of offering a range of ways for residents to make a complaint. Complaints can be raised by using the following channels:

Completing our online complaints form: Complaints Form

Telephone: 0207 364 5015
Post: Tower Hamlets Council
PO Box 66355
London E14 1GU

Residents can raise their complaint, or expression of dissatisfaction, with any member of staff. The details of the complaint will then be passed onto the relevant person within the organisation.

The Council does not accept formal complaints by email and requests that residents use one of the channels listed above.

Residents may contact us through social media channels such as X and Facebook (@towerhamletscouncil). These channels are not intended for the submission of formal complaints. We will signpost to one of the established contact methods (online form, telephone, post, and in-person) to register the complaint.

6.1 How we will publicise the Complaints Process

We will ensure that we have a dedicated, easy to reach section on our website with information on our Complaints process. This will include making available a copy of our complaints policy and procedure, the self-assessment against the Housing Ombudsman's Complaint Handling Code, and our annual complaints performance and service improvement report.

We will also ensure that we provide a simplified guide for residents outlining the complaints process and produce information videos that can be used across social media platforms.

We will ensure that information on the complaints process and our performance is included in our annual report to residents and any other relevant resident publication.

7. The Housing Ombudsman and your complaint

The Housing Ombudsman Service is an independent, impartial, and free service for social housing residents. The Housing Ombudsman looks at complaints about housing organisations that are registered with them. Housing Ombudsman investigations may result in findings, orders, recommendations, and remedies.

Under the Social Housing (Regulation) Act 2023, the Housing Ombudsman's Complaint Handling Code became statutory on 1 April 2024.

The purpose of the Housing Ombudsman's Code is to enable a positive complaint culture and support early complaint resolution.

The Housing Ombudsman Service can be contacted through the following channels:

Website: housing-ombudsman.org.uk

Post: Housing Ombudsman Service

PO Box 1484
Unit D
Preston PR2 0ET

8. Timescales

Acknowledgements	We will review and formally acknowledge the complaint within **five working days** of receiving it (excluding weekends and bank holidays). During the acknowledgment, we will usually contact the resident to confirm our understanding of the complaint and the outcome they are seeking. We will also advise the resident if any aspects of the complaint fall outside of our responsibility.
Stage 1 Complaints	We will provide a stage 1 response within **10 working days** of the acknowledgement being sent. The response timescale runs from the date the complaint is received and does not depend on the acknowledgment being issued. We may extend the timeline by a further 10 working days. Reasons for the extension will be explained, and we will provide the contact details for the Housing Ombudsman Service if the resident wishes to seek an independent review.
Stage 2 Complaints (Final Stage)	Stage 2 complaints will be acknowledged within **5 working days** of the escalation request being received. During the acknowledgment, we will usually contact the resident to confirm our understanding of the complaint and the outcome they are seeking. We will also advise the resident if any aspects of the complaint fall outside of our responsibility. We will provide a response within **20 working days** of the acknowledgement. The 20 working days can begin before the required 5 days for acknowledgement (as above). In more complex cases, we may extend the timeline by a further 20 working days. Reasons for the extension will be explained, and we will provide the contact details for the Housing Ombudsman Service if the resident wishes to seek an independent review.

9. Complaint Stages

Stage 1 – Complaint Investigation

When we receive your complaint, we will:

a) Give it a unique reference number;
b) Acknowledge your complaint and identify the issues we are investigating; and
c) Assign a named case handler who will be your main point of contact throughout the investigation.

- If your complaint involves more than one service, one service will lead the investigation and work with the others to provide a single response.

- For repairs complaints, our contractors may carry out the initial investigation, but the Council remains responsible for the final response.

- Where possible, we will resolve your complaint quickly, for example by providing an explanation, apology or agreed solution. We will consider the complexity of your complaint and any additional support you may need.

- Our response will explain:
  a) the complaint stage;
  b) the issues we have investigated;
  c) our decision and the reasons for it;
  d) any action we will take to put things right;
  e) any outstanding actions and how we will keep you updated; and
  f) how to ask for a Stage 2 review if you are unhappy with our response.

- If you raise related issues while we are investigating your complaint, we may include them in our Stage 1 response. If new issues are raised after we have responded, we will usually register them as a new Stage 1 complaint.

- We will send our response as soon as our investigation is complete. We will not delay responding while outstanding actions are being completed. We will continue to update you on any actions that remain outstanding.

- If we need more time, we will let you know before the response is due, explain why, and agree how often we will keep you updated. Any extension will normally be no more than 10 working days unless there is a good reason. We will also tell you how to contact the Housing Ombudsman if you would like independent advice.

Stage 2 – Complaint Review

- If you are not satisfied with our Stage 1 response, you can ask us to review your complaint. You should request a Stage 2 review within 12 months of receiving the

Stage 1 response. Requests made after this period may still be considered in exceptional circumstances.

- We will acknowledge your request within five working days and confirm the issues we will review. If we decide not to escalate your complaint, or if another process is more appropriate, we will explain why.

- Your complaint will be reviewed by a Stage 2 Complaints Review Officer who is independent of the Stage 1 investigation and the service area being complained about.

- The Review Officer will consider your complaint, speak with you if needed to understand your concerns, work with the relevant services to explore a resolution, and identify any learning for the Council.

  Our Stage 2 response will explain:
  a) the complaint stage;
  b) the issues reviewed;
  c) our decision and the reasons for it;
  d) any action we will take to put things right;
  e) any outstanding actions and how we will keep you updated; and
  f) how to contact the Housing Ombudsman if you remain dissatisfied.

- The response will address all the issues included in the complaint review and refer to relevant policies, legislation, and good practice where appropriate.

- We aim to send our Stage 2 response within 20 working days. If we need more time, we will let you know before the deadline, explain why, agree how often we will update you, and tell you the new response date. Any extension will normally be no more than 20 working days unless there is a good reason. We will also provide details of the Housing Ombudsman if you wish to seek an independent review.

- We will send our response as soon as our review is complete and will continue to update you on any outstanding actions, until they have been completed.

- The Housing Management Complaints Team will monitor and track high profile cases to ensure any follow-up actions agreed as part of the response are recorded, actioned, and completed in the Council's complaints management system. Performance in complaint handling is reviewed on a quarterly basis by the Council's management team.

10. Outcomes and remedies

Complaints can be resolved in a number of ways. The outcome of a formal complaint will be:

Upheld	This means that the resident's reasons for dissatisfaction are justified.
Partially upheld	This means that some of the resident's reasons for dissatisfaction are justified but that some of the issues raised by the resident are unfounded, unsupported by the evidence available or not attributable to the Council.
Not upheld	This means that none of the resident's reasons for dissatisfaction are justified.

Across both Stage 1 and 2, where required, action plans will be agreed which set out what needs to happen to put things right and monitor resolution. Actions may include:

- An apology.
- 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.

These will be tracked as corrective actions on our complaints management system.

The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate.

Any remedy offered will be proportionate to the impact experienced by the resident and will be determined in accordance with the Housing Complaints Compensation Policy.

11. Beyond the Complaints Policy

If a resident disagrees with our response at Stage 2, they can make a request for their complaint to be considered by either the Housing Ombudsman Service or the Local Government and Social Care Ombudsman (LGSCO), depending on the nature of the complaint. Both the Ombudsman Services are fully independent of local councils and are answerable to Parliament.

Ombudsman	**Suitable for**	**Example Subject Areas**
Housing Ombudsman Service info@housing-ombudsman.org.uk Housing Ombudsman Service PO Box 1484 Unit D Preston PR2 0ET	Tenants and leaseholders of Tower Hamlets Council	Tenancy management Estates Repairs and maintenance Rent and recharges

Local Government and Social Care Ombudsman http://www.lgo.uk/contact-us PO Box 4771 Coventry CV4 0EH	Tenants and leaseholders of Tower Hamlets Council	Home Choice Register administration Housing options Right to Buy
Energy Ombudsman P.O. Box 966 Warrington WA4 9DF enquiry@energyombudsman.org Online: https://www.energyombudsman.org	Tenants, Leaseholders and Right-to-buy Freeholders of Tower Hamlets Council who receive communal heating and hot water (also known as District Heating/Heat Network)	Issues with your heating and/or hot water supply

Residents can make service charge disputes to the First-tier Tribunal (Property Chamber).

12. Petitions

We treat complaints received as petitions in the same way as all complaints. We are happy to meet the petitioners as a group. To help us handle the complaint efficiently, we will ask the group to nominate a single point of contact, and we will work with this person to resolve the complaint. Petitions will be logged onto our complaints management system as a Stage 1 complaint but marked as a petition.

13. Continuous learning and improvement

A positive complaint handling culture is crucial to the effectiveness of our dispute resolution. Complaints are opportunities to put things right and learn lessons to introduce positive changes in our service delivery. This could be by changing our processes, reviewing our policies, or training for staff.

To achieve this, the Housing Management Complaints Team plays an active role in helping services across the Council's housing management division to identify learning and embed this in how they deliver services. The team are responsible for:

- Monitoring complaints to ensure that response times are achieved.
- Reviewing complaints, identifying trends, best practice and highlighting lessons learned in conjunction with service areas.
- Capturing feedback on the complaint handling process, including outcomes of complaints and Housing Ombudsman Service investigations, and progress made in complying with Orders related to the Ombudsman's findings.
- Supporting service areas to track and deliver on commitments made and explore options for a resolution with residents at the point of receiving a request for an escalation.

- Producing reports which highlight performance trends, compliance with policy, causes for complaint escalations and learning which will be fed back to stakeholders such as elected Members, the housing management team, and resident bodies.
- Publishing quarterly information on complaints and performance.
- Quality assessing a sample of responses from each service area to ensure that the policy is being applied consistently across the service.
- Supporting the swift resolution of Stage 2 complaints and monitoring performance.
- Acting as the key point of contact for the Housing Ombudsman Service, on cases that have already or are yet to exhaust our complaints procedure.
- Monitoring decisions made by the Housing Ombudsman Service to ensure the Council learns from them.

Whilst we always monitor the volume of complaints we receive, our priority will always be to learn from complaints and ensure that this learning is reflected in the services we deliver.

14. Scrutiny & oversight

We are committed to supporting a positive complaint handling culture. To improve accountability and transparency, we regularly report back on wider learning and improvements from complaints to our stakeholders which includes residents and staff. The Lead Member for our housing portfolio (Member Responsible for Complaints), is also responsible for ensuring our governing body receives regular insight into our complaint handling performance and learning updates.

14.1 Reporting

As part of our commitment to complying with the Housing Ombudsman Service Complaints Handling Code, we will ensure that we publish an updated annual self-assessment on our compliance with the Code. This will be accessible to residents on the Council's website. Our self-assessment may be reviewed and updated earlier in the event of any significant change (e.g. major restructure or change in procedures/practices) or at the direction of the Ombudsman Service.

We will ensure that we produce regular reports on our complaint performance and service improvement priorities. Our reports will provide:

- an assessment on our compliance against the Complaint Handling Code
- a qualitative and quantitative analysis of our complaint handling performance
- highlight any findings of non-compliance with the Code by the Ombudsman
- set out service improvements made as a result of the learning from complaints
- highlight information about our performance from the Housing Ombudsman Service

These will be shared with our governing body and formal resident engagement structures.

We will also produce an annual report on our performance which will be published on our website.

In the event we are unable to comply with the Code due to exceptional circumstances, such as a cyber incident, we will notify the Housing Ombudsman Service, provide information to residents who may be affected, and publish this on our website. We will also provide a timescale for returning to compliance with the Code.

14.2 Accountable person for complaint handling

The Housing Ombudsman Code requires a senior lead person as the accountable person for complaint handling. Our Head of Housing Governance, Assurance and Improvement holds this role and will assess themes and trends, identify systematic issues, risks, and policies that require intervention.

14.3 Member Responsible for Complaints (MRC)

The Corporate Director of Housing & Regeneration serves as the senior officer responsible for compliance with the Consumer Standards. The Lead Member for Housing acts as the Member Responsible for Complaints in accordance with the Housing Ombudsman's Complaint Handling Code.

15. Consultation and tenant involvement

We recognise the importance of working in partnership with our residents to develop and continuously improve our services. We will involve our residents in reviewing and learning from complaints.

Where appropriate we may invite residents to take part in focus groups and workshops, to provide feedback and serve as case studies, that can be used to assist with the review of our policies and working practices.

16. Reasonable Adjustments Policy

The Council is committed to meeting its duties under the Equality Act 2010. Our Reasonable Adjustments Policy anticipates the needs of residents, and the types of reasonable adjustments they may need to ensure that they are not disadvantaged in accessing our complaints process.

If you have a disability or vulnerability, we will make reasonable adjustments to support you, in line with the Equality Act 2010. Our complaints webpage meets Accessibility standards (In accordance with the Public Sector Bodies Accessibility Regulations 2018). Residents can make requests for content in accessible formats e.g. alternative languages, large print, Braille, audio formats, coloured overlays or interpretation services. Or give us feedback through our Accessible content request form

17. Unreasonable Behaviour Policy

On occasion, staff may encounter residents whose complaints, enquiries, or contact with the Council require a disproportionate level of time and resources, despite all reasonable steps having been taken to address their concerns or resolve any actual or perceived issues. In such circumstances, a resident may be identified as demonstrating unreasonable or unacceptable behaviour in accordance with the Council's policy.

Where appropriate, the Council may apply reasonable restrictions or limitations to contact and engagement with residents whose behaviour is deemed unreasonable, in line with the Council's Unreasonable Behaviour Policy. Any actions taken will be proportionate, justified, and subject to regular review.