

COMPLAINTS POLICY

REVIEW DATE: APRIL 2026
NEXT REVIEW DATE: OCTOBER 2027

PURPOSE

This document sets down Encircle Housing's (EH) policy towards managing complaints received by customers and / or their personal representatives. It explains how customers can make a complaint if they are not satisfied with our services and how EH will respond to the complaint.

The contents of this policy have been reviewed and benchmarked against recommendations within the Housing Ombudsman Services' Complaint Handling Code (April 2024) and should be read alongside the related documents listed in the table included later in this document.

BACKGROUND

Encircle Housing (EH) is committed to providing a high-quality service for its customers and working in an open and accountable way that builds trust and respect. One of the ways in which we can continue to improve our service is by listening and responding to the views of our customers, responding positively to complaints, and by putting mistakes right when things have gone wrong.

LEGAL AND REGULATORY REQUIREMENTS

The Housing Ombudsman and The Regulator of Social Housing's Tenant Involvement and Empowerment standard requires Registered Providers to have an approach to complaints that is clear, simple, accessible and that ensures complaints are resolved promptly and fairly.

This policy has been reviewed and benchmarked against the Housing Ombudsman's Complaint Handling Code, published 8th February 2024, applicable from 1st April 2024. The Policy meets our legal obligations outlined in the following legislation:

- Housing Act 1996
- Equality Act 2010
- Localism Act 2011
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- The Landlord and Tenant Act 1985
- Data Protection Act 2018

COMPLAINTS PROCESS

1. What is a complaint?

We define a complaint and / or concern, as an expression of dissatisfaction however made, about the standard of service, actions or lack of action by Encircle, our own staff or those acting on our behalf, affecting an individual Tenant or group of Tenants. We recognise that care providers, health professionals, appointees, advocates and family members of our tenants may have a need to make a complaint where our tenants lack capacity.

We acknowledge that EH has a responsibility to ensure that any third parties that we contract comply with this policy by:

- i) Recording and responding to customers' feedback within the stated timescales.
- ii) Providing us with any information relating to a complaint when requested.
- iii) Assisting EH with complaints investigations as appropriate.

Tenants do not have to use the word "complaint" for it to be treated as such, and we will take every appropriate action to resolve any issue(s) as per the resolution processes outlined within this Policy. We also recognise the difference between a service request, and a complaint. An initial service request from our tenant(s) and / or their representative, requiring action on our part to put something right will not be considered a complaint. These will be attended to as per our published service standard, recorded, monitored and regularly reviewed separate to our Complaints Policy. However, a complaint can be raised should the complainant express dissatisfaction with the response to their service request, or the handling of their service request.

Any concern and / or complaint can be raised directly by the tenant, or on their behalf by their advocate / personal representative.

Examples of complaints and / or concerns, are:

- Where we have failed to provide a service in accordance with, our published standards.
- Where we have failed to follow our policies and procedures or have been unfair or inconsistent in applying them.
- Where we have failed to keep a customer informed through lack of or insufficient information with regards to their chosen service enquiry.
- Where there has been inappropriate behaviour or poor attitude demonstrated from any member of staff when dealing with the service enquiry.
- If a customer is in any way unhappy about how we have delivered a service.
- A complaint can be made by anyone who is entitled to receive a service from EH, any of contractors or service providers, or is affected by that service or provision.

- Complaints can be made by:

- i) Phone 0330 390 0517
- ii) Online www.encircleha.co.uk
- iii) Email contactus@encircleha.co.uk
- iv) Letter First Floor, Lister House, Lister Hill, Horsforth, Leeds LS18 5AZ

Raising concerns or complaints via social media.

If a customer raises a concern or complaint via Encircle Housing's social media feeds, this will be acknowledged with a responding tweet or post, and request for further discussions to take place offline. The customer will be given the option to contact EH via our general enquiry phone number or provide their contact details via a direct message on the social media platform being used.

Damp and Mould

In accordance with the Housing Ombudsman Spotlight Report on damp & mould (October 2021), and issue of letter from the Department of Levelling Up, Housing and Communities letter to all Registered Providers (19th November 2022), any complaints and / or concerns received relating to damp and mould, will be acted upon promptly, following a thorough investigation, and remedial action taken in line with Awaabs Law categories and timescales to rectify.

2. Exclusions:

A complaint must be received by EH within twelve months of the issue taking place or the customer finding out they have a reason to complain. This time limit is in line with the Housing Ombudsman Complaint Handling Code (April 2024).

There are some circumstances when it is not appropriate to record and complaint because there is another process which is better suited to resolving the problem. Therefore, Encircle Housing will not consider the following under this complaints policy:

- An initial request for service when a customer informs us of a problem for the first time. For example, if the word complaint is used during an initial report of a repair that has not yet been notified to Encircle Housing.
- Initial contact from a customer to chase up a service request, for example, a missed appointment that can be resolved there and then with an apology and the provision of a new appointment. However, if a satisfactory resolution cannot be offered to the customer at the time of the contact, or if the customer asks, a complaint will be logged.
- Matters that have already been dealt with by the Housing Ombudsman Service or have already exhausted Encircle Housing's complaints process.

- It is a complaint about a third-party service not provided by or contracted by Encircle Housing. However, we will ensure that relevant information is forwarded to the third-party service provider.
- The complaint relates to anti-social behaviour, unless we have failed to investigate the report, this will be dealt with in accordance with our anti-social behaviour policy,
- Disagreement with a decision where there is a separate policy and procedure to appeal the outcome, for example, a dispute about service charges, which would be covered by Encircle Housing's Service Charge Policy.
- The reason for the complaint occurred over twelve months ago, unless there is evidence that this has been raised to Encircle Housing and no action has been taken.
- If legal proceedings have been started, including for example a letter before action, then consideration of a complaint will be suspended pending the outcome of the legal action.
- Matters that have previously been considered under this Complaints Policy.

In exceptional circumstances, EH may apply discretion and consider an excluded complaint. If a customer feels that the exclusion time limit should not apply, they will need to tell us why so that a decision can be made.

If EH decide not to accept a complaint, EH will provide a written detailed explanation setting out the reason(s) why the matter is excluded from our complaints process. The complainant has the right to refer this decision to the Housing Ombudsman, who can instruct EH to take on the complaint, if they feel that the exclusion has not been fairly applied.

3. Formal Complaints Process

Encircle recognises that our complaints process should be easy to understand and use. We have therefore adopted the Housing Ombudsman two stage process:

Stage 1

If a customer is unhappy with a service we have provided, or if we have been unable to resolve an issue to their satisfaction, a complaint can be logged under Stage 1 of our formal complaints process. All complaints will be acknowledged by email within 5 working days of their receipt.

The relevant Investigating Manager will:

- provide a full written response within 10 working days of the complaint initially being acknowledged.
- investigate the complaint and keep the customer informed of the progress until resolution.

EH aim to fully resolve the complaint within 15 working days. If longer is required, we will contact the complainant, with our reason(s) an extension is required and agree a new timescale.

Stage 2

If a customer is dissatisfied with the outcome of the Stage 1 investigation, the customer can make a request for their complaint to be escalated. Requests for escalation to Stage 2 are to be received within 10 working days of our Stage 1 closing response.

Stage 2 complaints will be reviewed by the senior EH Complaints Panel comprising of The Managing Director and one nominated Non-Executive Director. A complaint about the Managing Director would be escalated under Stage 2 to the Chair of Encircle Housing and at least one other Non-Executive Director. All requests for a Stage 2 investigation will be acknowledged within 5 working days of their receipt.

EH will resolve a Stage 2 complaint within 20 working days of the request for Stage 2 initially being acknowledged. If the complaint is complex and/or requires third-party involvement we will consult with the complainant with our reason(s) an extension is required and agree a new timescale.

The customer and / or their personal representative will have the right of representation at this panel either in person or in writing. This is the final stage of the Encircle complaints process.

Where residents raise additional complaints during the investigation, these will be incorporated into the Stage 1 or 2 response if they are related, and the Stage 1 or 2 response has not been issued. Where a Stage 1 or 2 response has been issued, and new issues raised unrelated to the issues that have already being investigated and could cause a delay in the response will be logged as a new complaint.

We recognise that sometimes we might not be able to provide the high-quality services that we have promised, and our customers expect. Where this happens, we aim to put things right quickly and may also offer compensation to those who have received a poor standard of service.

The lead Head of Service and Managing Director will have the ultimate decision on:

- The circumstances when we may offer compensation
- The level of compensation that may be offered
- How compensation payments are made

Where customers remain dissatisfied with a decision about compensation the lead Head of Service and/or Managing Director can escalate the case for an independent assessment by its Board, who will determine the appropriate value of compensation based on the individual case circumstances. All compensation decisions and payments will be in line with our Compensation Policy V01 Mar '26

Should a resident remain dissatisfied at the end of Encircles' complaints process, they may submit their complaint to the Housing Ombudsman.

The contact details for the Housing Ombudsman Service are:

- Online complaint form: www.housing-ombudsman.org.uk/residents/make-a-complaint/
- Phone: 0300 111 3000
- Postal address: PO Box 1484, Unit D, Preston, PR2 0ET

4. Communicating with our customers

We will keep our customers / their advocates / personal representatives regularly updated and informed even where there is no new information to provide. At the completion of each stage of the complaints process we will write to the tenant / their personal representative / advocate advising them of the following details.

- The complaint stage reached.
- The outcome of the complaint.
- The reasons for any decisions made.
- Details of any remedy taken to put things right and / or any outstanding actions.
- Details of how to escalate the matter if they remain dissatisfied.

There are two potential outcomes at the end of the complaints process:

- Complaint upheld, where we agree that the complaint is justified
- Complaint not upheld, where we do not agree that the complaint was justified

We will detail in the closing letter the reasons for the outcome.

5. Awareness, Independence and Confidentiality

Encircle Housing will incorporate a clear statement in all tenant facing publications and media about How to Make a Complaint, and the difference ways that complaints can be made.

All complaints, Stage 1 and / or Stage 2 will be recorded on a central register, overseen and monitored by the Complaints Officer. This role sits within the responsibilities of the Business Manager, who reports directly to the Managing Director. The Managing Director will also act as the Member Responsible for Complaints (MRC). The MRC and Complaints Officer can be contacted through the contact methods listed below:

- i) Phone 0330 390 0517
- ii) Online www.encircleha.co.uk
- iii) Email contactus@encircleha.co.uk
- iv) Letter First Floor, Lister House, Lister Hill, Horsforth, Leeds LS18 5AZ

Any complaint(s) relating directly to a member of Senior Management Team will be referred to and investigated by a member of the Senior Management Team not mentioned in the complaint,

as nominated by the Managing Director.

A customer has the right to contact The Housing Ombudsman Service at any stage throughout the EH complaint process, or if they wish to escalate further after completing the EH process. The case can be referred directly to the Housing Ombudsman Service or to a designated person. A designated person is a Councillor, or MP. A designated person will help resolve the complaint in one of two ways:

- i) they can try and resolve the complaint themselves OR
- ii) they can refer the complaint straight to the Housing Ombudsman Service if the complaint remains unresolved.

The contact details for the Housing Ombudsman Service are:

- Online complaint form: www.housing-ombudsman.org.uk/residents/make-a-complaint/
- Phone: 0300 111 3000
- Postal address: Housing Ombudsman Service, PO Box 1484, Unit D, Preston PR2 0ET

All complaints will be treated fairly and in the strictest confidence.

6. How will we learn from complaints?

A complaint is seen as an opportunity to learn about how we can improve our service at EH. We therefore want to learn from every complaint, irrespective of the nature, and to capture and share the things that we learn so that improvements can be made where appropriate.

In order to do this, we will:

- Record and monitor every complaint including details such as what the complaint was about, how it was resolved, how quickly it was resolved.
- Implement a lesson learnt action plan following the closure of a complaint to ensure that changes in our services are embedded to avoid future complaints of a similar nature.
- Our Senior Management Team will carry out quarterly reviews of all complaints, to appraise and look at how / if we can improve our handling of complaints and the services we provide.
- Our Board will receive a summary of complaints at least twice a year.
- Survey tenants to measure their satisfaction with the way their complaint investigation was handled.

- We will act within the professional standards for engaging with complaints as set by any relevant professional body

7. Complaint Handling Staff and Staff Training and Development

All complaints received will be monitored, and managed, to ensure compliance with the HO CHC, by the Complaints Officer. The Complaints Officer has responsibility for supporting Investigating Managers applying this Policy and ensuring consistent complaint handling is undertaken. The relevant Head of Service will decide who will be the Investigating Manager and the Complaints Officer will be responsible for logging and recording all relevant information on our Complaints Register.

The Member Responsible for Complaints (MD) will ensure an effective complaints handling process is in place and report any learning outcomes and improvements identified.

All staff within the organisation will be briefed on the policy and its application to their work. Any training needs will be identified and addressed as part of embedding the policy into current housing practice and procedures.

Encircle will continually strive to provide excellent customer services to our tenants, partners and wider customers. Senior Managers will undertake regular 1:2:1 reviews with their relevant teams to review performance and any training and development needs will be identified and implemented. Our Staffology Performance Appraisal is used as a valuable tool for staff and managers to receive feedback on how they engage and respond to the needs of our tenants.

8. Unacceptable, Abusive Behaviour, Unreasonable Persistent Complainants

Encircle Housing staff are expected to treat individuals with courtesy, respect and fairness. Similarly, we expect our staff to be treated in the same way. We have a duty to protect the welfare and safety of our staff. We understand that people may act out of character in times of distress or due to frustration. However, if that frustration becomes aggression or abuse towards our staff, we will not tolerate any unacceptable behaviour from residents and / or their representatives when pursuing a complaint.

Any incident arising of this nature will be taken seriously and appropriate action taken in accordance with the Law. Any restrictions placed on a resident's contact due to unacceptable behaviour will be appropriate to their needs and demonstrate regard for the provisions of the Equality Act 2010.

Unreasonably persistent complainants and / or unreasonable complainant behaviour will be dealt with in line with Encircle Housing's Unreasonable or Unreasonably Persistent Complainants Policy V01 Mar '26.

RELATED DOCUMENTS

The table below provides links to related documents and guidance that support the implementation of this document.

Document Name	Description	Where it can be found
Complaint Reporting Form	For reporting all complaints	Encircle website: www.encircleha.co.uk Encircle Mailbox address: contactus@encircleha.co.uk
Housing Ombudsman Complaint Handling Code April 2024	Good practice guidance in the management and handling of complaints	www.housingombudsman.org.uk/home
Housing Ombudsman Service	For further advice and appeals against any closed unresolved complaints previously investigated by Encircle	www.housingombudsman.org.uk/home
Compensation Policy V01 Mar '26	Guidance in the management and decision process for compensation payments	Encircle website: www.encircleha.co.uk Encircle Mailbox address: contactus@encircleha.co.uk
Unreasonable or Unreasonably Persistent Complainants Policy V.01 Mar '26	Guidance in the management and handling of unreasonable complainant behaviour	Encircle website: www.encircleha.co.uk Encircle Mailbox address: contactus@encircleha.co.uk

DOCUMENT CONTROL

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	ii. Inclusion of reference to new Compensation Policy V.01 Mar '26 iii. Inclusion of reference to new Unreasonable or Unreasonably Persistent Complainants Policy V.01 Mar '26
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