firstchoice HOMES OLDHAM

Complaints Policy

September 2026

MONITORING, APPROVAL AND REVIEW	
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Complaints Policy

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1 Policy Purpose

1.1 First Choice Homes Oldham (FCHO) recognises that there may be times when our customers are not fully satisfied with the service they receive. The purpose of this policy is to outline how customers can express dissatisfaction about the standard of service received or actions by FCHO.

1.2 This policy details our commitment to putting things right for customers. FCHO actively encourages customers to express dissatisfaction and views complaints as valuable opportunities to improve service delivery and customer experience.

1.3 We take a positive, customer-focused approach to complaints and will accept a complaint unless there is a valid reason not to do so. Any decision not to accept a complaint will be made on a case-by-case basis, taking account of the customer's circumstances, and will be clearly explained to the customer together with their right to refer the decision to the Housing Ombudsman.

2 Policy Principles

2.1 We are committed to fair, transparent, and effective complaint handling, guided by the Housing Ombudsman's Dispute Resolution Principles:

- Be Fair
- Put Things Right
- Learn from Outcomes

A complaint may be raised through any communication channel and with any member of staff. Complaints will be recognised and recorded at the point an expression of dissatisfaction is received. Customers are not required to submit complaints in writing or through a specific complaints route.

2.2 When handling complaints, we aim to:

- Acknowledge and accept responsibility when things go wrong.
- Resolve issues promptly, fairly, and respectfully, treating all customers equally.
- Learn from complaints to drive continuous improvement in our services.
- Communicate openly and honestly, rebuilding trust where needed.
- Ensure consistency and proportionality in how complaints are investigated and resolved.
- Provide a clear, accessible, and easy-to-follow complaints process for all customers.
- Support colleagues in managing complaints effectively and confidently.
- Clarify roles and responsibilities, including who can make a complaint and who handles them.
- Escalate complaints appropriately, including those related to building safety, to the responsible person.
- Report and record complaints in line with the Housing Ombudsman Complaint Handling Code.

Customers will not be required to complete a form or follow a specific process for dissatisfaction to be treated as a complaint.

3 Definition of a complaint

3.1 In line with the Housing Ombudsman Complaint Handling Code, a complaint is defined as:

"*An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group of individuals*."

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

Any expression of dissatisfaction that meets this definition will be recorded as a complaint, regardless of the channel through which it is received.

Examples include:

- failure to provide a service;
- delays in service delivery;
- poor quality service;
- failure to follow policy or procedure;
- poor communication;
- errors or administrative failures; and
- dissatisfaction with how a service has been delivered.

3.2 FCHO is committed to promoting equality, diversity and inclusion, in line with the protected characteristics set out in the Equality Act 2010. We will take account of the needs and differences of all colleagues, customers and other stakeholders which may arise in line with this policy. We believe that everyone should be treated fairly and equally regardless of their difference.

4 Accessibility and Support

4.1 FCHO is committed to ensuring that the complaints process is accessible and easy to use.

4.2 We will identify, record, and take account of vulnerabilities and reasonable adjustments throughout the complaint lifecycle.

4.3 We will make reasonable adjustments where appropriate to support customers in accessing and engaging with the complaints process. These will be recorded and kept under review.

4.4 Reasonable adjustments may include:

- providing information in alternative formats or languages;
- adapting communication methods;
- allowing additional time where appropriate;
- providing support through advocates or representatives; and
- considering individual vulnerabilities and support needs throughout the complaint process.

4.5 Further information is available within FCHO's Reasonable Adjustments Policy.

5 Who Can Make a Complaint

5.1 Complaints can be made by individuals who currently have, or have previously had, a landlord-customer relationship with FCHO, or by those directly affected by services delivered on FCHO's behalf. This includes:

- current or former customers;
- leaseholders;
- shared owners;
- representatives acting on behalf of customers; and
- groups of customers affected by shared issues.

5.2 We may also consider complaints from individuals who are directly affected by FCHO's actions or services, even where they are not the named tenancy holder, where there is a sufficient connection to the service being provided.

5.3 Where a complaint is submitted by a representative, we may require written consent from the customer before sharing information about the complaint.

5.4 Where an enquiry or complaint is raised by a Member of Parliament or Councillor acting on behalf of a customer, written consent will not normally be required.

5.5 Group complaints and petitions relating to shared neighbourhood or service issues may be accepted. A lead contact should be identified to support communication.

5.6 We will not normally accept complaints from individuals who have no current or historic landlord-customer relationship with FCHO and who have not been directly affected by the services we provide.

6 How to Make a Complaint

6.1 We offer a range of ways in which customers can make a complaint:

Online – by filling in a complaint form

- **By telephone** – 0161 393 7117 - lines are open from 8am to 6pm, Monday to Friday.
- **By post** – to our registered address: FCHO Tellus, First Place, 22 Union Street, Oldham, OL1 1BE
- **In person** – at our central office: First Place, 22 Union Street, Oldham, OL1 1BE, 9am to 5pm Monday to Friday
- **Social media** - via direct message on Facebook or X, formerly known as Twitter (complaints via this channel will be taken offline to ensure privacy and confidentiality)
- Through staff, Board Members, MPs or councillors

6.2 All complaints will be logged and handled consistently regardless of how they are received.

6.3 **Directly Addressed Requests** - Any correspondence expressing dissatisfaction that is addressed directly to a colleague, Executive Team member, or Board Member will be recorded and managed in line with this complaints policy.

6.4 All colleagues are responsible for recognising expressions of dissatisfaction and ensuring they are referred promptly for recording and management under this policy. A complaint may be made through any communication channel and to any member of staff.

7 Service Requests

7.1 We recognise that some service issues can be resolved quickly and informally without entering the formal complaints process. This supports prompt resolution and a positive customer experience.

7.2 The Housing Ombudsman defines a Service Request as:

"A request from a customer requiring action to put something right."

7.3 Service requests are initial reports of issues where no dissatisfaction has been expressed.

7.4 If a service request cannot be resolved within normal service timescales, or if the customer expresses dissatisfaction or requests escalation, it will be logged immediately as a formal complaint in line with our two-stage process. Customers can request escalation at any point.

7.5 All service requests are recorded and monitored to ensure timely resolution and oversight. We also monitor the use of service requests to ensure complaints are not inappropriately filtered, delayed or excluded. Staff receive training and guidance to support consistent and accurate complaint identification.

7.6 Customers will not be required to make a service request before making a complaint. Where a customer expresses dissatisfaction, the matter will be recorded as a complaint, even if action to resolve the issue is ongoing.

8 Exclusions

8.1 We will not unreasonably exclude complaints and will accept a complaint unless there is a valid reason not to do so. Each case will be considered individually, taking into account the customer's circumstances, including any vulnerabilities. We may exclude:

- Complaints submitted 12 months or more after the issue occurred (these will be reviewed on a case-by-case basis to determine whether there are reasonable grounds to accept them, for example where there are health and safety concerns)
- Matters that are the subject of legal proceedings where the legal process is actively considering the same issues. The existence of legal proceedings relating to one aspect of a matter will not automatically prevent FCHO from investigating service failures that remain within the scope of the complaints process.
- A first report of an issue where no dissatisfaction has been expressed and the matter is being handled as a service request
- Reports of antisocial behaviour or neighbour disputes, which will initially be managed as service requests under relevant tenancy or ASB procedures, unless dissatisfaction is expressed, in which case they will be treated as complaints
- Repeat complaints about matters that have already been fully investigated

- Feedback provided through surveys or other service feedback mechanisms will not automatically be treated as a complaint. However, customer's will be informed of how they can make a complaint if they wish to do so.

- Where a customer expresses dissatisfaction through these channels and indicates they would like the matter formally considered, or where appropriate and with the customer's agreement, the issue will be logged as a complaint in line with the Housing Ombudsman definition. We apply discretion in all cases, particularly where vulnerability or serious service failure is identified.

If a complaint is not accepted, we will provide a clear and detailed explanation, setting out the reasons for the decision. We will maintain a record of this decision to evidence our reasoning. Customers will also be informed of their right to refer the decision to the Housing Ombudsman for an independent review.

9 Complaints Involving Legal Disrepair Claims

9.1 Where a customer has commenced or intends to commence legal disrepair proceedings, FCHO will distinguish between matters relating to the standard of service provided, which remain within the complaints process, and matters concerning legal liability or damages, which fall within the jurisdiction of the courts.

9.2 Where appropriate, FCHO will continue to investigate matters relating to service delivery, including repairs management, communication, complaint handling and other service failures that fall within the Housing Ombudsman's jurisdiction.

9.3 Complaint investigations will not determine legal liability, the extent of disrepair, damages, or other matters that are subject to legal proceedings.

9.4 Complaint responses will clearly explain the distinction between matters being considered through the complaints process and those that fall within the legal process.

9.5 The existence of a legal claim will not, by itself, prevent a complaint from being investigated, delay the complaint response, or prevent appropriate remedies being considered for service failure.

9.6 Any compensation awarded through the complaints process will relate only to service failure, inconvenience, distress, time and trouble, or poor complaint handling, in accordance with FCHO's Compensation Policy. It will not include compensation for legal damages arising from disrepair.

10 Complaint Stages

10.1 FCHO operates a two-stage complaints process in accordance with the requirements of the Housing Ombudsman Service Complaint Handling Code.

10.2 Complaints will be handled fairly, consistently, and in a customer-focused manner, with the aim of achieving early and appropriate resolution wherever possible.

10.3 FCHO will ensure that complaints are easy to raise and accessible to all customers. Reasonable adjustments will be considered and provided where appropriate to ensure customers are able to access and engage with the complaints process. This may include providing information in alternative formats, adapting communication methods, or offering additional support where required.

Stage 1

10.4 Upon receipt of a complaint, FCHO will acknowledge, log and define the complaint within 5 working days. We will confirm our understanding of the complaint and the outcomes sought by the customer.

10.5 Stage 1 complaints will be investigated by a suitably trained colleague with the authority to investigate the complaint and provide a fair and appropriate response.

10.6 At Stage 1, FCHO will:

- issue a full response within 10 working days of the complaint being acknowledged;
- only apply an extension where there is a good reason for delay;
- explain the reason for any delay, confirm the revised response date and keep the customer informed;
- ensure that any extension does not exceed a further 10 working days unless there are exceptional circumstances; and
- provide the customer with the contact details of the Housing Ombudsman where an extension is applied.

10.7 Where additional issues are raised during the investigation, these will be incorporated into the existing complaint where they are directly related to the matters under investigation and doing so will not unreasonably delay the response. Otherwise, they will be recorded as a new complaint.

10.8 If the customer remains dissatisfied following the Stage 1 response, they may request escalation to Stage 2.

10.9 Customers are encouraged to request escalation as soon as possible following receipt of the Stage 1 response. Requests received outside any suggested timeframe will not be unreasonably refused and will be considered on a case-by-case basis, taking account of individual circumstances.

10.10 Customers are not required to explain why they remain dissatisfied in order for a complaint to be escalated.

Stage 2

10.11 Stage 2 is the final stage of FCHO’s internal complaints process.

10.12 At Stage 2, the complaint will be reviewed by a senior manager, or another appropriately senior colleague who has not been involved in the case.

10.13 Requests for escalation to Stage 2 will be acknowledged, logged and defined within 5 working days of receipt. FCHO may seek clarification of any outstanding issues to ensure that these are fully considered; however, customers are not required to provide a reason for escalation.

10.14 At Stage 2, FCHO will:

- issue a final response within 20 working days of the complaint being acknowledged at Stage 2;
- only apply an extension where there is a good reason for delay;
- explain the reason for any delay and agree a revised response date with the customer;

- ensure that any extension does not exceed a further 20 working days unless there are exceptional circumstances; and
- provide the customer with the contact details of the Housing Ombudsman where an extension is applied.

10.15 Where additional issues are raised at Stage 2, these will be managed in line with the principles set out at Stage 1 and, where appropriate, logged separately as a new complaint.

10.16 Vulnerabilities and reasonable adjustments identified at any stage will be recorded and considered throughout the handling of the complaint.

11 Complaint Handling Staff

11.1 FCHO will ensure that colleagues involved in complaint handling:

- receive appropriate training;
- have the authority, autonomy and resources required to investigate complaints fairly;
- act independently and objectively when reviewing complaints;
- have access to relevant records, information and systems; and
- are supported to identify learning and service improvements arising from complaints.

12 Complaint Handling Principles

12.1 At both stages of the complaints process, FCHO will:

- clearly set out which aspects of the complaint are within our responsibility;
- provide the customer with the opportunity to explain their complaint and the outcomes they are seeking;
- confirm our understanding of the complaint;
- consider all relevant information and evidence;
- address all points raised and provide clear reasons for decisions made;
- identify where things have gone wrong;
- acknowledge and apologise where service failure has occurred;
- offer an appropriate remedy where this is identified; and
- seek to resolve complaints at the earliest opportunity where possible.

12.2 A complaint will not be closed until the customer has received the relevant complaint response and any agreed actions have either been completed or there is a clear plan and timescale in place for completion.

12.3 A complaint response will not be delayed solely because outstanding actions remain incomplete. Where actions remain outstanding following the complaint response, these will continue to be monitored separately, and the customer will be kept informed of progress.

12.4 Customers may contact the Housing Ombudsman at any stage of the complaints process for advice and guidance. Where the customer remains dissatisfied following completion of Stage 2, they may refer the complaint to the Housing Ombudsman Service for investigation.

Housing Ombudsman Service

Housing Ombudsman Service

PO Box 1484, Unit D
Preston
PR2 0ET

Telephone: 0300 111 3000

Website: www.housing-ombudsman.org.uk

12.5 These contact details will be included in all Stage 2 responses and in any correspondence where complaint handling timescales are extended.

12.6 Where the Housing Ombudsman issues a determination, FCHO will:

- comply with any orders and recommendations within the required timescales;
- contact the customer to explain the outcome and any actions to be taken; and
- use the findings to support organisational learning and service improvement.

13 Putting Things Right

13.1 We are committed to resolving complaints fairly and effectively. When things go wrong, we will acknowledge the issue and explain what we have done or plan to do to put it right.

13.2 Our actions may include:

- Acknowledging the mistake
- Providing an explanation or support
- Offering a sincere apology
- Addressing any delays
- Reviewing or changing a decision
- Updating records
- Offering financial compensation in line with FCHO's Compensation Policy, where appropriate
- Improving policies or procedures

13.3 Financial compensation, where appropriate, will be considered in line with FCHO's Compensation Policy.

13.4 Remedies will be fair and reflect the impact of the issue. We also look at whether changes to our systems or processes could help prevent similar issues for other customers.

13.5 We will consider the following factors when determining remedies:

- How long and how often the issue occurred.
- The seriousness and number of service failures
- The overall impact on the customer
- Any personal circumstances or vulnerabilities

13.6 All remedies will clearly state what will be done and by when. We will agree this with the customer where appropriate and make sure the actions are completed. All decisions will be informed by Housing Ombudsman remedies guidance.

14 Specialist Complaints

Building Safety Complaints

14.1 Where a complaint relates to building safety matters covered by the Building Safety Act 2022, customers may have the right to escalate concerns to the Building Safety Regulator once FCHO's complaints process has been completed.

14.2 Relevant complaints may include concerns relating to:

- structural safety;
- fire safety risks;
- the performance of accountable persons; or
- compliance with building safety obligations.

14.3 Complaints relating to health and safety or building safety risks will be appropriately prioritised and escalated internally where required.

14.4 Complaints relating to building safety will not be excluded from the complaints process solely because they concern matters that may also fall within the responsibilities of the Building Safety Regulator.

Heat Network Complaints

14.5 Where a complaint relates to a heat network service, the complaint will first be managed through FCHO's complaints process.

14.6 If the customer remains dissatisfied following completion of the process, or eight weeks have passed without resolution, the complaint may be referred to the Energy Ombudsman Service.

14.7 Website: https://www.energyombudsman.org
Telephone: 0330 440 1624

Complaints about how we use your personal data

14.8 Where a customer is dissatisfied with how FCHO has handled personal information, the issue may be raised through the complaints process.

14.9 We will investigate your concern in line with this policy and respond within the relevant timescales.

14.10 If you remain dissatisfied with our response, you also have the right to raise your concern with the Information Commissioner's Office (ICO), which is the UK regulator for data protection matters.

You can contact the ICO at:

Website: www.ico.org.uk

Telephone: 0303 123 1113

14.11 You do not have to complete our complaints process before contacting the ICO, but we encourage you to give us the opportunity to resolve your concerns first.

15 Governance, Learning and Compliance

15.1 FCHO will monitor complaint handling performance to ensure compliance with the Housing Ombudsman Complaint Handling Code.

15.2 Complaint handling performance, compliance with the Complaint Handling Code, learning outcomes, service improvement actions, and Ombudsman outcomes will be regularly reported to senior leadership, the Member Responsible for Complaints (MRC), and the governing body.”

15.3 FCHO will complete an annual self-assessment against the Housing Ombudsman Complaint Handling Code.

15.4 FCHO will publish:

- the annual Complaint Handling Code self-assessment;
- the annual complaints performance and service improvement report; and
- the governing body’s response to complaints performance.

15.5 Learning from complaints is recorded, monitored, and used to inform service improvements, policy updates, and corrective actions.

15.6 Evidence of service changes resulting from complaints will be reported through governance channels.

15.7 FCHO will use complaints as a source of insight and will share learning and service improvements with customers where appropriate.

15.8 Complaint data will include recording and monitoring of vulnerabilities and reasonable adjustments to support learning and service improvement.

15.9 The Member Responsible for Complaints (MRC) will receive regular information regarding complaint performance, Complaint Handling Code compliance, Housing Ombudsman outcomes, learning from complaints and service improvements to support effective scrutiny and oversight.

15.10 Annual complaint performance and learning reports will be considered by the governing body together with the annual Complaint Handling Code self-assessment and governing body response. The governing body's response will be published alongside the annual self-assessment and Annual Complaints and Service Improvement Report.

16 Regulatory and Legal Framework

16.1 This policy supports compliance with relevant legislation, regulation and guidance including:

- Housing Ombudsman Scheme;
- Housing Ombudsman Complaint Handling Code;
- Social Housing (Regulation) Act 2023;
- Transparency, Influence and Accountability Standard;
- Building Safety Act 2022;
- Data Protection Act 2018;
- UK General Data Protection Regulation (UK GDPR); and
- relevant Housing Ombudsman guidance and best practice.

17 Equality, Diversity and Inclusion

17.1 We are committed to promoting equality, diversity, and inclusion in everything we do. Oldham is a vibrant and diverse borough, and we recognise the importance of reflecting and responding to the needs of our local communities.

17.2 We ensure that all colleagues, customers, and stakeholders are treated fairly, with dignity and respect, regardless of their background or personal characteristics. This includes, but is not limited to, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

17.3 This policy is available in alternative formats or languages upon request. Please contact us if you require support accessing or understanding this document.

18 Links to First Choice Home's Policies and Procedures

- Compensation Policy
- Data Protection Policy
- Vulnerability Policy
- Complaints and related documents
- Reasonable Adjustments Policy
- Unacceptable and Unreasonable Behaviour Policy

Appendix A – Equality Act 2010 and Equality Considerations

The Equality Act 2010 makes it unlawful to discriminate against individuals because of protected characteristics. These protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The Act applies to employment and, with the exception of marriage and civil partnership, also applies to the provision of services, the exercise of public functions, and the management or letting of premises.

Types of Discrimination

The Equality Act 2010 prohibits:

Direct discrimination
Treating someone less favourably because of a protected characteristic.

Indirect discrimination
Applying a policy, rule, or practice that applies to everyone but disadvantages people with a particular protected characteristic.

Discrimination by association
Treating someone unfairly because they are associated with a person who has a protected characteristic.

Discrimination by perception
Treating someone unfairly because they are perceived to have a protected characteristic, whether or not they actually do.

Harassment
Unwanted behaviour related to a protected characteristic that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment.

Victimisation
Treating someone unfairly because they have made, supported, or raised a complaint or concern under the Equality Act 2010.

Public Sector Equality Duty

Under Section 149 of the Equality Act 2010, public authorities must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and other prohibited conduct.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.

- Foster good relations between people who share a protected characteristic and those who do not.

FCHO's Approach

FCHO is committed to ensuring that compensation decisions and complaint handling processes are fair, inclusive, and responsive to individual needs and circumstances.

- Where relevant, FCHO will consider:
- Vulnerabilities and additional needs.
- The impact of service failures on different customers.
- Whether reasonable adjustments were required.
- Whether any protected characteristic increased the impact experienced.

FCHO will also ensure that equality-related concerns, actions taken, and outcomes are appropriately recorded to support learning, monitoring, service improvement, and compliance with equality duties.