

**Effective Complaint
Correspondence:
Best Practice Guidance for
Landlords**

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Introduction

The Housing Ombudsman improves residents' lives and landlords' services through complaints, by resolving disputes and promoting learning.

To promote learning, we use insights captured from resident feedback and casework reviews to highlight where landlords should focus attention to make sure that their complaint handling process is straightforward and easy to navigate.

In our most recent review of our enquiries and casework, we identified that there were instances where responses were not always clear, comprehensive, or timely.

Frustrated by poor quality correspondence, residents often commented that this communication left them feeling unheard, brushed off and mistrustful of their landlord because they felt that the landlord was making the process unnecessarily complicated.

This was particularly the case where residents' dissatisfaction had been reviewed and responded to as a request for service, and where solicitors had been engaged on cases which had not yet been formally issued.

In addition, where final responses were not easily identified, had missing information, or were not dated, this led to increased correspondence between the Ombudsman and the landlord in an effort to clarify the situation which then delayed an investigation being initiated.

In this guidance we share some of the challenges residents have faced when receiving correspondence from landlords and the best practice that we have seen in our casework.

Summary of recommendations

1	Responses should be accessible to residents and provided in a way that takes into account any reasonable adjustments agreed with the resident, such as large print, spoken copies or other alternative formats.
2	Landlords should take the time to agree the scope of complaints at the start of the process. Landlords should consider using the acknowledgement letter as an opportunity to set this out and gain agreement from the resident as to the issues to be addressed.
3	<p>Landlords should ensure that where a complaint cannot be responded to within the policy timescales, this is identified at the earliest opportunity, and provide a suitable explanation along with the date that the response will be provided.</p> <p>As noted in the Housing Ombudsman's Complaint Handling Code, extensions should be considered only in exceptional circumstances.</p>
4	<p>Complaint responses should state the stage of the complaint, whether the complaint is fully, partially, or not upheld and explain clearly how the resident can escalate their complaint.</p> <p>Landlords should consider setting a timescale for escalation, but be flexible over adhering to this, depending on the circumstances surrounding any delays to requests.</p>
5	If a complaint is escalated, landlords should consider restating the scope of the complaint and, if appropriate, specify any points that no longer require consideration and the reasons why.
6	Landlords must ensure that residents are provided with their rights should they remain unhappy with the final response. In final responses, landlords should provide referrals to the Ombudsman. Where this is not clear, landlords should consider providing all the relevant options to residents.

1. Scoping complaints effectively to minimise confusion and delay

Through our casework, the Ombudsman has noted that the nature of complaints has become more complex, and in these cases, there is a risk that the scope of the complaint changes over time.

Whilst there are times that it is beneficial to the resident when the landlord agrees to expand the scope of the complaint, it is more often the case that this causes delays to responses and ultimately there is a risk that residents remain unhappy with a final response because new issues are not fully addressed.

Our casework review indicates that complex complaints are most effectively responded to where the acknowledgement sets out clearly what issues will be considered and explains that unrelated issues will be addressed separately.

Where landlords adopt this approach, it is vital that they set out the reasons that new issues will not be considered and provide assurance that this will ultimately ensure that a full and timely response will be provided.

Scoping complaints also offers landlords the opportunity to explain whether an issue is being handled as a request for service or a complaint. This was most successfully managed where landlords explained their reason using clear wording such as:

As this is the first time that we have been made aware that your taps are not working, we will arrange for a repair to be completed. At this stage, we have not raised a complaint because although you are unhappy, this is a request for service which we will now action.

2. Ensuring responses are accessible and appropriate

At the point of making a complaint, and throughout the process landlords should approach contact and correspondence as an opportunity to respond to concerns in an open and transparent way that looks to rebuild the relationship between resident and landlord.

During a dispute, it is particularly important that landlords consider the best way to communicate with the resident and adhere to any reasonable adjustments agreed. By taking this approach, landlords can build trust with the resident that they are dedicated to working with the resident to resolve the dispute.

Indeed, by using the complaint as an opportunity to review communication needs and adjustments, landlords may benefit from a more positive relationship at the time, and in the future.

Responses should be provided in plain language that is appropriate to the resident. This includes minimising the use of jargon and any technical terms should be explained clearly and concisely, regardless of any recorded needs; this is a key requirement of the Housing Ombudsman's [Complaint Handling Code](#) (the 'Code').

3. Fair and transparent extensions

Whilst the aim of the Code is to ensure that residents receive timely responses to their concerns, the Ombudsman recognises that there may be times that a complaint is complex, requires extensive investigation or advice from suitably qualified or experienced experts.

Examples may include:

- Complex repairs, reinvestment or damp related issues that require attendance by an independent or specialist surveyor.
- Staff conduct and/or professionalism complaints, where the individual is out of the office or where a suitably experienced investigator is not immediately available.
- Cases where significant correspondence or interaction has been had with the resident to resolve a service request or challenging situation.

The Code allows discretionary extension where a longer investigation is required, however this should only be taken in exceptional circumstances.

If this is the case, residents should be informed at the earliest possibility and a full and transparent explanation should be provided.

Extension letters should set out:

- The issues being considered as part of the complaint
- The reason that the complaint needs to be extended
- When the resident should expect a response (ideally, this should be no more than 10 working days)

It should be noted that whilst the Code does note that extensions are reasonable, the timeframe should be realistic and complaints should only be extended once before a formal response is provided. Multiple extensions in cases often leads to frustration and a lack of trust from residents who report that this approach leaves them feeling ignored and unheard.

Where appropriate, the landlord should apologise for the extension and, where the delay is longer than is fair under the circumstances, landlords should consider offering redress in line with its compensation policy or guidance. The Ombudsman's [Guidance on remedies](#) is available to support landlords wishing to take this approach.

4. Setting out stages and escalation rights

A review of contact and correspondence to the Ombudsman indicates that a common issue is that residents are unclear what stage their complaint is at, and whether they have the right to request a formal investigation by the Ombudsman.

Around a third of enquiries received by this service whilst the complaint is within landlords' internal complaints process are resolved by the Ombudsman providing advice and support about the stage of the complaint and whether a formal investigation can be initiated.

These enquiries, and the associated frustration expressed by residents can be minimised through landlords issuing clear correspondence that sets out:

- What stage the response has been provided
- Whether the resident can escalate the complaint internally
- How escalation should be requested, including what is required and any timescales that need to be adhered to

Whilst timescales for escalation help landlords effectively close complaints where resolution has been achieved, they should consider escalation requests outside of the specific timescale on a case by case basis, to ensure that residents are not prevented from escalating their complaint.

If a landlord declines to escalate the complaint, it must provide a formal response explaining the reasons for its decision and confirm that this is their final position on the matter.

This letter must include the resident's right to refer their complaint to the Housing Ombudsman, via the Designated Person as a final response has been provided.

5. Re-scoping complaints at the point of escalation

Where complaints are escalated, landlords should consider arranging a conversation with residents to understand what elements they remain dissatisfied with and what action they are looking for to resolve the issue(s), considering the landlord's position in the first response.

Escalation also provides an opportunity to re-scope the complaint and set out what issues will be considered at the second stage and, where appropriate, what issues have been resolved at the previous stage.

If a landlord will not change its position on an aspect of the complaint through the escalation process, it is still helpful to set out the reasons why this is the case. This additional consideration and clarity help to ensure that the decision is clearly communicated to the resident where there is a disagreement.

By taking this approach, residents are clear what elements will be given further consideration and what aspects are considered resolved. This may also benefit landlords by allowing them to focus only on the outstanding issues which remain

unresolved, rather than reviewing all elements to a complaint if some are already resolved.

6. Final response letters

When issuing the final response letter, regardless of stage, landlords should be mindful that this is an important piece of correspondence that gives residents the right to approach the Ombudsman.

It is vital, therefore, that:

- All elements of the complaint are referred to, including which have been fully, partially or not upheld
- Letters clearly state that this is the final response to their complaint, and that although the response can be clarified, it will not be reviewed again by the landlord
- All correspondence is dated, and ideally provided in PDF to ensure the date is maintained on correspondence where auto-dates have been used by staff.

As stated in the Code, final response letters must include the resident's right to refer their complaint to the Ombudsman, and ensure that this includes both online, telephone and postal contacts. Suggested wording is included on the website under the [‘Telling residents about our service’](#) section.

The review recognises that councils have more than one Ombudsman that will consider complaints including the Local Government and Social Care Ombudsman as well as the Housing Ombudsman.

To ensure that residents are signposted effectively, councils should ensure that where the complaint relates to their responsibility as a landlord, the Housing Ombudsman's details are provided.

Where complaints are complex or relate to multiple issues across their services, councils should consider providing referrals to both organisations to ensure that residents are able to access the appropriate Ombudsman to consider their case without delay.

For more detail on the cooperative working arrangements between the Housing Ombudsman and the Local Government Ombudsman, councils may wish to refer to the [Memorandum of Understanding](#) published on the website.

Tools for complaint handlers

The Housing Ombudsman has created several tools to support complaint handlers to resolve complaints and provide excellent quality communication and correspondence.

This includes:

- Dispute resolution e-learning
- Dispute resolution principles
- Videos on managing unacceptable behaviour

For insights and guidance on specific cases, landlords can also refer to our publications including:

- [Insight reports](#)
- [Decisions](#)
- [Spotlight reports](#)
- [Training and events](#)

The Housing Ombudsman has also released specific guidance for landlords with respect to the [Pre-Action Protocol for Housing Conditions Claims and service complaints](#).