

We may be able to help you...

*..if you have a complaint about a member organisation of the
Housing Ombudsman Service.*

This leaflet explains how to use the Housing Ombudsman Service to make a complaint.

We provide a free and independent way of dealing with complaints against member organisations. If you have a complaint about the management of your home, we can seek redress for you where this is justified. If we identify failings in the services you receive, we can intervene to ensure they improve. We can tell you which organisations are members – please feel free to telephone us on **08457 125 973**, to visit our interactive website at **www.ihos.org.uk** or to email us at **ombudsman@ihos.org.uk**



Housing
Ombudsman
Service

The Housing Ombudsman Service includes the Independent Housing Ombudsman Scheme, IHO Resolve, and other dispute-resolution initiatives managed by IHO Ltd.

Other formats and languages

We can help if you need information in a non-printed format (Braille or audiotape) or in a different language. We can also make and receive calls using TypeTalk and Minicom. If you have any other needs or disabilities where we could help with your complaint, just let us know.

Which organisations are members?

You have the right to complain to us if your home is owned or managed by a member organisation of the Housing Ombudsman Service, or if you have applied to be housed through a member organisation.

The law requires all registered social landlords to be members of the Service, but not public housing landlords. So council tenants and applicants must complain to the Local Government Ombudsman instead.

The Service also includes a number of private landlords and management agents who have joined voluntarily.

What can I complain about?

You can complain if you think that the owner or manager of your home has done something wrong which affects you.

The Ombudsman will not consider some problems. These include complaints about the level of rent and service charges or matters that are about to go to a court or tribunal (or have already done so).

If you need more advice before deciding to make a complaint, please contact us.

We will look carefully at the member organisation's decision on your complaint, to see if we are justified in asking it to do something different. For example, we will not intervene if it has admitted being at fault and, in our view, it has offered you suitable redress. But if we think there are unresolved problems, we will get involved even when the member organisation has already done as much as it thought it should.

We cannot give personal housing advice or consider problems outside the scope of the Service.

When can I complain?

Our rules require you to go through the member organisation's own complaints procedure first. This enables it to sort out problems directly, and put right anything it has done wrong. We find that many complaints are resolved this way. All member organisations must have a formal procedure for dealing with complaints. You can get a copy from their offices. If they won't give you a copy, please let us know.

Before contacting us, you should normally complete the final stage of the member organisation's complaints procedure. We can only accept your complaint before then if the member organisation is not following its procedure or we decide it is taking an unreasonably long time. We have a waiting list of complaints, so you will probably get a solution sooner if you go through the member organisation first.

Please note that some member organisations may have short deadlines for complaints, and if you miss them we may not be able to help you. So it is important to deal with your problem as soon as you become aware of it.

How do I complain?

If you think your complaint is ready for the Housing Ombudsman Service, write to us about it. Please make sure you also fill in the complaint form and attach it to your letter, as this will help us deal with your case more quickly. If you can, please tick the box on the form authorising us to use the information you provide. Otherwise we will not be able to consider your complaint fully. If you don't feel able to complain yourself, you can ask a friend or adviser to help or to complain on your behalf. You must tell us if you have authorised another person to do that – there is space for this on the form.

How do you deal with my complaint?

When we receive your complaint we will decide whether it comes within the rules that allow us to deal with it. If not, we will tell you why. In particular, we will check whether you have completed the member organisation's own complaints procedure. So please attach a copy of its final decision.

If we agree there is an unresolved problem, we may first try to deal with it informally, for instance by letters or phone calls suggesting possible solutions. We may recommend that you and the member organisation use mediation or other ways to resolve the complaint with help from us, and we will send you more information about that. Mediation can only go ahead if you and the member organisation agree.

If we decide to adjudicate or to investigate in order to make a formal decision, we will usually send a copy of the complaint to the member organisation for comments. We may ask for more information from you or the member organisation, and perhaps from other bodies who know about the complaint. If you want to send us supporting information, please leave out anything you want us to treat in confidence because we will probably not be able to use it as evidence.

We will establish what has happened, then we will make a decision. At this point we will write to you and the member organisation. Our letter will explain our findings and say what, if anything, should be done to put matters right. This may include some compensation for you, but the Ombudsman is mostly concerned that any shortcomings by the member organisation are tackled effectively. This might be by carrying out specific work, by changing its policies or procedures, or by training its staff better.

We do not punish member organisations. That is to say, we can only ask them to do what is necessary to put a person back in the position he or she was in before something went wrong, and to ensure that the problems we identify do not happen again. Sometimes, of course, that is not possible, so we can ask that other things be done to achieve a fair solution.

Dealing with complaints takes time and careful consideration of all the relevant facts. We always try to work as quickly as possible but please be patient. Because of high demand for our Service, it may take some time before we reach a final decision.

What if I don't agree with the Ombudsman?

We decide what complaints to accept, and how we will consider them, under our rules. We are completely independent – just as a judge would be if you took your complaint to court.

The Ombudsman has to make decisions based on what is, in his opinion, fair in the circumstances of each case. You cannot appeal against his decisions. However, we have a procedure you can use if you feel we have made administrative errors in dealing with your complaint which have affected our judgment. One of our managers who has not previously been involved with your case will consider your views. You cannot use this procedure just because you disagree with the way we dealt with your case; instead, you must point to a specific mistake you believe we made and how it might have influenced our decision.

Complaint form

If you think your complaint is ready for the Housing Ombudsman Service, you can use the form opposite. Please make sure you tick the box authorising the Service to use the information about your complaint. Otherwise we will not be able to consider it fully. If you don't feel able to write to us yourself, you can ask a friend or adviser to help or to complain on your behalf. You must tell us if another person has your full authority – there is space for this on the form.

Complaint form

When you have filled in BOTH SIDES of the form, remove it from the leaflet and send it to:

**Housing Ombudsman
Norman House
105-109 Strand
London WC2R 0AA**

My title (*Mr, Mrs, Miss, Ms etc*)

My forename

My surname

My address

My daytime telephone number

mobile number

My email address

The name of the organisation I am complaining about

My complaint is *(please continue on a separate sheet of paper)*

I authorise the Housing Ombudsman Service to obtain information from my landlord and to use the information I provide, and other information about me necessary to deal with my complaint, according to its terms of reference. I understand that the Service will not use the information for any purposes that fall outside those terms.

Please tick
this box

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Do you want the Service to deal directly with someone acting on your behalf?

If so, please enter his or her details below. Please do not forget to sign this form. Without your signature we will not be able to deal with your complaint.

My authorised representative's details are

Name

Address

Telephone

Signature of representative

Date

Signature of complainant

Date



Housing Ombudsman Service

Norman House
105-109 Strand
London WC2R 0AA

Telephone: 020 7836 3630

Fax: 020 7836 3900

Lo-call: 0845 7125 973

Minicom: 020 7240 6776

Email: ombudsman@ihos.org.uk

Website: www.ihos.org.uk

