



# Tenant Complaints Procedure

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## Guidance for Tenants

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### 1. Introduction

As a landlord we aim to be fair and professional. We recognise we have an important responsibility to all our tenants. We want to provide you with as good a service as we can. We recognise however that from time-to-time issues can arise and when this happens, we want to try to resolve matters as quickly as possible.

We recognise that making a complaint to your landlord can sometimes be a difficult thing to do. Whilst complaints can sometime be perceived as a negative thing, we see complaints as a chance to improve the way we operate. We value all feedback, whether formal or informal, as an opportunity to learn and continually improve our service.

### 2. What is a Complaint?

Our tenant complaint procedure is available [here](#). As the complaints procedure explains, a complaint is any expression of dissatisfaction about any aspect of your relationship with the National Trust as your landlord. This could be very wide. It might include dissatisfaction with the standard of service received, our response (or lack of response) to a request for a service, or the manner in which we have behaved.

A first request for us to do something we are required to do under the tenancy agreement (such as a repair) will not be treated as a complaint. It will only be treated as a complaint if we have not sorted the problem in a reasonable time or it has been undertaken inadequately.

If you have a complaint about an aspect of the Trust's work which doesn't relate to your relationship with us as a tenant, this is dealt with under one of our other complaints procedures available [here](#).

We will be unable to discuss matters relating to other people's tenancy agreements. Equally if you have a neighbour dispute with someone, we may not be able to sort out the issue alone. If someone is being threatening or aggressive it may be a matter for the police rather than ourselves. Also bear in mind that sometimes we will need your help to resolve issues. For example, whilst we might be able to sort out an issue with damp, we may need you to keep windows open for certain periods in a day to

ensure it is sufficiently ventilated. If there are repairs which need to be undertaken, we will need access to your property. We will discuss these matters with you as part of reviewing your complaint.

As our tenant complaints procedure sets out, there are circumstances where we might need to deal with the matter outside of our complaints procedure. This will include when it relates to something which might lead to a legal claim against us, a claim on our insurance policy or an investigation by a regulator. Once we receive your complaint, we will be able to tell you if this is the case and how we will deal with it.

We do recognise that issues which may lead to a complaint can be stressful and worrying for our tenants. When dealing with your complaint we will seek to treat you in a fair and professional way. We do ask that you reciprocate and that you do not use any form of inappropriate language or behaviour when dealing with us.

### **3. Who can make the complaint?**

As our complaints procedure explains, you are welcome to have someone such as a friend or relative make the complaint on your behalf. However unless they are a solicitor or other legal advisor, for data protection purposes, we will need your express authority to deal with that person on your behalf. We have provided a **Template Authority Letter** for you to sign, which can be found on the [Tenant Complaints Procedure](#) webpage. Depending on the nature of your complaint, we may need to discuss personal information with the person acting on your behalf (such as financial information if the matter is related to the rent) therefore do ensure you choose someone who you are comfortable for us to speak to about these matters.

If you would like to obtain support from a solicitor or other legal advisor or agency, you may find the following websites of help:

- **Law Society:** [Find a Solicitor - The Law Society](#)
- **Citizens Advice:** [Housing - Citizens Advice](#)
- **Gov.uk:** [Landlord and tenant rights and responsibilities in the private rented sector - GOV.UK \(www.gov.uk\)](#) and [How to Rent - The checklist for renting in England \(publishing.service.gov.uk\)](#)
- **Shelter:** [Complaints about private landlords - Shelter England](#) or [Private tenants rights - Shelter Cymru](#)
- **Tenants' Association of the National Trust (TANT):** [www.tantuk.org](http://www.tantuk.org)
- **Tenant Farmers Association (TFA):** [Tenant Farmers Association \(TFA\)](#)
- **National Farmers Union (NFU):** [NFU Online](#)

## 4. Stages of Complaint

Our **Tenant Complaints Procedure** (which can be found on the [Tenant Complaints Procedure](#) webpage) sets out four stages. We have designed this procedure so that at each stage the matter is reviewed by someone who is not directly linked to the person who has previously dealt with the matter concerned. We have built in the use of alternative dispute resolution and the opportunity for external independent review (where appropriate). However, before we start on the official stages of the process, we encourage you to discuss matters with us on an informal basis first as this is often the best way of resolving a situation. If you mention you have a complaint, we will arrange for someone at a local or regional level to speak to you on an informal basis to see if matters can be resolved. If matters are not resolved, then we will follow the formal stages set out in our complaints procedure.

### Stage 1

We have developed an initial **Stage 1 Form** to assist you with making a complaint (this can be found on the [Tenant Complaints Procedure](#) webpage). This sets out some questions which are designed to help you give us the information we need to investigate your complaint. We would ask that you explain as briefly as you can why you are unhappy with how we have handled the matter concerned and what you would like us to do to put it right. If there has already been a series of different events leading to the complaint, you might want to consider using the **Sequence of Events - Who's Who Form** (which can be found on the [Tenant Complaints Procedure](#) webpage). Listing the events in the order they happened can be very helpful for us in understanding what has happened. Don't worry if you can't remember all the dates precisely, just provide the information you have as best you can.

Do try to keep your complaint as focused to the issue as possible. The more focused it is, the better able we are to investigate your complaint. If there are multiple issues, please list them as clearly as possible so we are clear what the complaint relates to.

Whilst copy document such as emails and letters are also helpful, at this stage please only provide those which are directly relevant to the matter at hand.

If you prefer not to use our **Stage 1 Form**, that is fine. However, we do ask for the complaint to be in writing such as a letter or email and to answer the questions set out in the form so that we can understand what has happened and investigate accordingly.

### Stages 2-4

We seek to resolve all complaints as early as possible so that we hope we can resolve matters at stage 1. However in the event we have not been able to satisfactorily resolve your complaint at stage 1, at stages 2 & 3 we ask you to set out

what it is from our previous investigation that you are unhappy with. Again, we have created a further **Appeal Stage Form** which you may find useful in making your complaint (this can be found on the [Tenant Complaints Procedure](#) webpage).

Our complaints procedure mentions that we might, if you are willing, refer the matter to mediation. Mediation is a voluntary process where both parties meet with a professionally trained, impartial, independent mediator to discuss the matter and see if there is a way the matter can be resolved to both parties' satisfaction. The mediator is not a judge and has no capacity to insist you take any action. However, mediation can be helpful as the mediator can help explore the issue from both parties' perspectives and will bring fresh ideas that the parties may not have previously considered.

You can find out more about mediation here:-

[A guide to civil mediation - GOV.UK \(www.gov.uk\)](#)

Before you make any commitment to entering into mediation, we will discuss the matter with you and discuss who would pay for the mediation.