



Ministry
of Defence

JSP 464

**Tri-Service Accommodation Regulations Volume 1: Part 3
Accommodation Complaints, CAAS Challenges and
Appeals, and Policy Challenges**

Foreword

This Part 3 JSP supports the policy set out in the Directive and is sponsored by the Defence Authority for People. It provides policy compliant business practices on submitting complaints, challenges and appeals on matters relating to the regulations and delivery of accommodation and should be considered best practice for those handling complaints, challenges and appeals as well as those submitting a complaint, challenge or appeal.

Preface

How to use this JSP

1. JSP 464 Volume 1 Part 3 provides policy and guidelines for Service Personnel on all aspects of accommodation complaints and challenges including the Special to Type complaints procedure for Service accommodation across Service Family Accommodation (SFA), Substitute Service Family Accommodation (SSFA), Single Living Accommodation (SLA), Substitute Service Single Accommodation (SSSA). Breaking down the stages involved in the complaints process, it is designed to be used by Service Personnel to guide and recommend best practice.

Coherence with other Defence Authority Policy and Guidance

2. Where applicable, this document contains links to other relevant JSP's, some of which may be published by different Defence Authorities. Where dependencies exist, there other Defence Authorities have been consulted in the formulation of the policy and guidance detailed in this publication.

Related JSPs	Title
JSP 464 Vol 1 Part 2 - Guidance	Tri-Service Accommodation Regulations Vol 1 Part 2: Service Family Accommodation (SFA) and Substitute Service Family Accommodation – UK and Overseas.
JSP 464 Vol 2 Part 1 - Directive	Tri-Service Accommodation Regulations Vol 1 Part 1: Single Living Accommodation and Substitute Service Single Accommodation.
JSP 464 Vol 2 Part 2 - Guidance	Tri-Service Accommodation Regulations Vol 1 Part 2: Single Living Accommodation and Substitute Service Single Accommodation.
JSP 464 Vol 3 Part 1 - Directive	Tri Service Accommodation Regulations – CAAS and 4TG.
JSP 464 Vol 3 Part 2 - Guidance	Tri Service Accommodation Regulations – CAAS and 4TG.
JSP 752	Tri Service Regulations for Expenses and Allowances
JSP 754	Tri Service Regulations for Pay
JSP 831	Redress of Individual Grievances: Service Complaints

Further Advice and Feedback – Contacts

3. The owner of this JSP is People – Accommodation Policy. For further information on any aspect of this guide, or questions not answered within the subsequent sections, or to provide feedback on the content, contact:

Job Title/E-mail	Project focus
People-Accommodation Policy: People-Accom-Policy Team (MULTIUSER) People-Accom-PolicyTeam@mod.gov.uk	Sponsor & Overall responsibility for policies laid out in JSP 464 in

	conjunction with single Service Accommodation Colonel staffs.
<p>Navy Accommodation Col Focal Point: NAVYPEOPLE-PSACCOMPOL@mod.gov.uk</p> <p>Army Accommodation Col Focal Point: ArmyPers-Pol-PersSvcs-Accn-SO2@mod.gov.uk</p> <p>RAF Accommodation Col Focal Point: Air-People-PFSpt-AccnWelDelMIbX@mod.gov.uk</p> <p>UKStratCom: UKStratCom-HR-Corp-StratPolISO2@mod.gov.uk</p>	Influencing, developing and implementing Tri-Service and StratCom policies for the single Service accommodation including representing single Service interests and concerns regarding current policy or issues out-with JSP 464.

Table of Amendments

JSP Volume 1 Part 3 was first issued on 28 Jul 2023 and combines the complaints processes from all other volumes into one standalone document.

Version	Chapters Affected	Dated
1.0	Subsumes complaint, challenge and appeals processes into one document.	28 Jul 23
2.0	Ch2 para 14(c), Ch4 para 16(e)	3 Nov 23
3.0	Contact details, Ch4 para 16(c)	31 May 24

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1. Overview

Purpose of the Complaints, CAAS and Policy Challenges and Appeals Processes

1. Service Personnel have the right to make a complaint about aspects of their accommodation provision, service, and policy. The MOD strives to provide high quality subsidised accommodation for Regular Service Personnel and the handling of challenges and complaints enables the MOD to take corrective action and provides the opportunity to identify any areas where our service can be improved. We seek an early resolution. There are different types of complaints and challenges that are covered within this JSP and when they should be used.
2. **Policy Challenges:** Specific challenges to policy that fall outside of the SFA/SSFA/SLA/SSSA complaints process and are covered by a separate process, submitted through the chain of command.
3. **Special to Type Complaints:** This form of complaint pertains to the delivery of Service provided accommodation and is a three-stage procedure.
4. **CAAS/Band for Charge Challenges:** Occupants can challenge the evidence-base of the assessment findings, either on New Occupancy on the combination of the three criteria; on Reassessment, or on the introduction of a policy change from the date of implementation of that change.
5. **Four Tier Grading Charging Challenges:** Occupants have 3 months, from the date of occupation, in which to challenge the grade of their SLA accommodation in writing. Any change in accommodation charges arising from a successful challenge will be backdated to the date of first occupancy.

Roles and Responsibilities

6. For complaints to be dealt with effectively, they must be considered as close as possible to the date of the matter arising and each team or person involved in the handling of a complaint should be aware of their responsibilities.
7. The **complainant's** responsibilities include the following:
 - a. To give a factual account of the instance(s) that led to the decision to file an complaint, challenge or appeal.
 - b. To be precise and accurate.
 - c. To include additional evidence in the form of photos, receipts etc where appropriate.

- d. To follow the timelines of the relevant process to ensure complaints are dealt with swiftly.
 - e. To clearly state the redress or the outcome they are seeking noting what is in scope of each stage of the complaints process.
8. The role of **Industry Partners** in managing complaints is to:
- a. Administer the Stage 1 complaints process as set out in this JSP.
 - b. To support Stage 2 and Stage 3 of the complaints process by providing all relevant information in a timely manner.
 - c. To act on lessons identified through the complaints process and deliver agreed redress.

Defence Infrastructure Organisation

9. The Defence Infrastructure Organisation (DIO) is the estate expert for Defence, supporting the Armed Forces to enable military capability by planning, building, maintaining, and servicing infrastructure. Their role in managing complaints and CAAS Appeals includes:
- a. Managing Stage 2 Complaints once your Stage 1 complaint has been formally closed and if you are not satisfied with the response.
 - b. Investigating Stage 2 complaints once submitted; a response can take up to 15 working days, with updates every 5 working days if required.
 - c. Managing the CAAS Challenge and Appeals process, which applies to all SFA and SSFA, including Overseas where a CAAS band is applied.
 - d. If a challenge is raised at Stage 1, it is for the DIO Service Provider to determine whether the circumstances presented are exceptional and whether they fall within or out with the intent of this JSP.

Accommodation Colonels

10. The 3 Services each have an 'Accommodation Colonel' responsible for accommodation matters and should also be consulted on any policy matters, however disputes for accommodation delivery issues and casework should be delegated to your Industry Partner or Substitute Contractor.

People Accommodation

11. People Accommodation are the policy holders/owners for JSP 464. JSP 464 Volumes and Parts provide policy and guidelines for the provision of Service Family Accommodation (SFA) and the substitute equivalents to trained personnel on a worldwide basis, except for accommodation in operational theatres and temporary accommodation at training areas where separate single Service arrangements will apply.

Support from External Agencies (Families Federations)

12. **Naval Families Federation (NFF).** The Naval Families Federation's vision is for all Royal Navy and Royal Marines Families to be able to have their views heard by those in positions of power and feel valued and be treated with fairness and respect; and thrive in their communities of choice.

13. The Naval Families Federation also provides support and guidance on matters affecting the daily lives of Naval Service families, acting as an advocate when appropriate to resolve complex issues. The NFF responsibilities include:

- a. To work with and support serving sailors, marines and their families.
- b. To listen to and learn from Royal Navy and Royal Marines families.
- c. Working with policymakers – government, politicians, the chain of command and a host of other organisations helping to deliver change.

The NFF can be contacted via: 02392 654374 or contactus@nff.org.uk

More information can be found here: <https://nff.org.uk/>

14. **Army Families Federation (AFF).** The Army Families Federation (AFF) is the independent voice of Army families and works hard to improve the quality of life for Army families around the world – on any aspect that is affected by the Army lifestyle. **The AFF responsibilities include:**

- a. To offer confidential advice. AFF is independent of the Army and will deal with your enquiry without revealing your identity.
- b. To highlight problems to the chain of command or service providers, and to work with them and other agencies to improve the support they provide to Service families.
- c. To provide a signposting service to help you find the right person to speak to, as well as providing useful information for Army families through its website and magazine.

The AFF can be contacted via: 01264 554004 | contact@aff.org.uk

More information can be found here: <https://aff.org.uk/>

15. **RAF Families Federation (RAF-FF).** The RAF Families Federation works to improve quality of life for the RAF family around the world – at work or at home. **The RAF-FF responsibilities include:**

- a. Resolving problems with access to education or healthcare, for children and young people.
- b. Sorting out problems with accommodation, benefits, and visas; helping military spouses find meaningful employment.
- c. Supporting service personnel in addressing issues that can arise when they live in one place, such as access to bases, repeated separations as a family, and finding the right help and advice.

The RAF-FF can be contacted via: 01780 781650 or enquiries@raf-ff.org.uk

More information can be found here: <https://www.raf-ff.org.uk/>

Maintaining confidentiality and data protection

16. In accordance with the DPA18 General Data Protection Regulation (GDPR), other than its nominated contractors, the MOD will not share your personal information with other external organisations. By submitting your complaint, you agree to provide this information for use connected with this claim and that it is correct and accurate. Full information on GDPR compliance is available here when logged on to the Defence intranet [Data Protection Act 2018 \(DPA18\) \(mil.uk\)](#).

Recording, reporting and learning from complaints

17. Complaints offer the opportunity for lessons to be learnt, and improvements to be made. The various stages within the complaint process have their own processes of identifying lessons and reviewing those lessons. Feedback is valued and experiences are used to inform future priorities and improvements in collaboration with the Substitute Accommodation Team, DIO, the single Services, and the Families Federations to ensure problems are addressed.

Reasonable Adjustments

18. Our aim is to make our accommodation complaints policy easy to use and accessible for everyone. We will take steps to make any reasonable adjustments needed to access this policy, or any requests to provide responses in other formats.

Key Contacts

Industry Partner	The Industry Partner is the first point of contact where an incidence occurs that requires the SFA/SSFA occupant to raise a complaint.
DIO Accn	The DIO Accn will conduct an appropriate investigation and then seek to resolve complaints received at stage 2.
Mears Group PLC	Mears Group PLC currently hold the contract with DIO for sourcing and administering SSFA and SSSA in the UK

Accommodation Colonel	Accommodation Colonels are invited to provide expertise and input into stage 3 complaints
Accommodation Complaints Review Panel (ACRP)	The ACRP reviews stage 3 complaints where it is believed that accommodation policy has been misinterpreted or misapplied at Stages 1 or 2 of the complaints process.

Expected Behaviours

19. The MOD recognises that individuals are likely to be frustrated about the accommodation issues that have led them to make a complaint or submit a challenge and do not deem behaviour to be unacceptable just because a complainant might be determined in the pursuit of their complaint. However, all personnel involved in the complaints process, including those submitting the complaint, are expected to conduct themselves professionally and in accordance with departmental guidance on Standards of Conduct and Behaviour. Violence, aggression, or abuse towards any party involved in the complaints process is not tolerated. This can include behaviour or language, whether spoken, written or via social media, that makes a person feel offended, afraid, threatened, or abused. For example, threats, personal abuse, offensive remarks, or language such as swearing. Instances of aggressive or abusive behaviour at any stage of the complaints, challenges or appeals process will be logged and if the conduct and behaviour of the complainant / complaint handler does not improve, matters will be escalated through the appropriate chain of command.

2. SFA/SSFA Complaints Procedure

Aim

1. This complaints process is a three Stage Special-to-Type (STT) procedure that exists to deal with matters related to the **delivery of Service provided families accommodation**. In accordance with JSP 831 - Redress of Individual Grievances: Service Complaints: Part 1¹ the STT process must be completed prior to the submission of a Service Complaint on the matter; this may be after Stage 2 or Stage 3 of this process depending on the circumstances of the complaint.

In Scope

2. Your complaint must relate to an action or inaction by the IP or Substitute Contractor in the delivery of SFA/SSFA in accordance with the extant accommodation policy. Possible areas for a complaint include, but are not specifically limited to:

- a. Unresolved issues.
- b. Impolite or unhelpful MOD staff and/or contractors.
- c. Failure to achieve repair/works services in the contractual target time.
- d. Unfair or inconsistent interpretation by Contractors, or MOD staff, of accommodation policies or processes.
- e. Failure to meet legal responsibilities/contractual obligations.
- f. A decision which affects the occupant in an adverse way (which the occupant considers could reasonably have been foreseen).
- g. A failure to complete an agreed task.
- h. Temporary deficiencies or reductions in amenities lasting for 7 days or more.

Out of scope

3. There are several accommodation related matters that are out of scope of the SFA/SSFA complaints process, as they are either outside of the powers or are

¹ Chapter 2, Para 17 - Completing a special-to-type process before making a service complaint.

covered by other processes. If a complaint is submitted regarding one of these matters, then the Stage 1 response should include details of the relevant process that needs to be followed. The matters that are out of scope include, but are not limited to:

- a. **Policy Challenges.** While the interpretation of SFA/SSFA policy can be dealt with through the complaints process specific challenges of policy should be submitted through the chain of command to the appropriate single Service Accommodation Colonel, in accordance with the process detailed in Chapter 5, Para 0148.
- b. **Charging / Banding Issues.** Accommodation charges are determined by three factors: condition, scale, and location. Where a standard is not, or cannot, be met the charge is reduced to reflect the deficiency from the target standard. These are covered by the CAAS Challenge and Appeal STT process detailed in Chapter 4 Section I.
- c. **Charges for damage and deficiencies for SFA and SSFA.** These are covered by the processes detailed in 2022 DIN01-038: (Updated in April 2022) Charges for Damages and Deficiencies for Service Family Accommodation and Substitute SFA – Recovery from pay.
- d. **Damage for Trespass (Violent Profits in Scotland).** These matters are dealt with by the DIO Loss of Entitlement Team.
- e. **Allowances.** Any accommodation related allowances, including Home to Duty, Get You Home, Disturbance Expenses, Refund of Legal Expenses and Overseas Rental Allowance, are covered by the Casework and Appeals process detailed in JSP 752 - Tri-Service Regulations for Expenses and Allowances, Part 1.
- f. **Forces Help to Buy.** This is covered by the Casework and Appeals process detailed in JSP 752 - Tri-Service Regulations for Expenses and Allowances, Part 1.
- g. **Compensation Schemes.** DIN 2017DIN04-090 which covered the SFA compensation scheme was withdrawn on 1 April 22. Compensation schemes available through the Industry Partners are out of scope of the SFA/SSFA complaints process, but any associated matters can be considered.
- h. **Neighbourhood Disputes.** Any local neighbourhood disputes (noise, harassment, Anti-Social Behaviour etc) where SFA occupants fail to meet their obligations under the Licence to Occupy are, in the first instance, to be raised via the IP Helpdesk who will attempt to resolve the dispute under the existing process. Where the IP Contractor is unable to resolve the matter, occupants

must raise the issue with the appropriate authority (military chain of command/civilian police).

Stage 1 – Complaint to Industry Partner

4. Where a matter occurs that requires you, as the SFA/SSFA occupant to raise a complaint it should be submitted to either the IP or Substitute Contractor. The circumstances will be investigated, and the contractor will then seek to resolve the complaint. It is expected that the majority of complaints should be satisfactorily resolved at Stage 1.

Stage 2 – Escalation of Complaint to DIO Customer Services Team

5. Only when the Stage 1 process has been completed and the case closed, can a Stage 2 complaint be submitted to DIO Accommodation. Only matters raised within your Stage 1 complaint, or directly related to the handling of the complaint, will be considered at Stage 2. Any additional matters should be submitted as a separate Stage 1 Complaint. The DIO will conduct an appropriate investigation and then seek to resolve the complaint. If required, advice and information should be sought from independent experts.

6. Where it is identified at Stage 2 that a complaint has not been dealt with satisfactorily or handled correctly in accordance with the appropriate contract, then it can be returned to Stage 1. In such cases you are to be formally notified in writing of this decision with a clear explanation of why the complaint is being returned to Stage 1. If the complaint is still not resolved, then you can resubmit the complaint to Stage 2. As part of this process DIO also provide the relevant contractor with clear direction and guidance on the actions they need to take to resolve the issue and manage the complaint. This process forms a key part of the governance and assurance of Stage 1 complaints.

Stage 3 – Policy Review by the Accommodation Complaints Review Panel (ACRP)

7. Once the Stage 2 process has been completed and the case closed, a Stage 3 review request can be submitted to the Accommodation Complaints Review Secretariat, within Defence People-Accommodation where you believe that accommodation policy has been misinterpreted or misapplied at Stages 1 or 2 of the complaints process. Stage 3 submissions must explicitly state which aspect(s) of accommodation policy you believe has been misinterpreted or misapplied and provide evidence to support your claim. Where there is no doubt that the circumstances of the case fall outside the scope of a Stage 3 review, as listed below, the STT complaints process will be considered terminated at the end of Stage 2. At this point, if you remain dissatisfied with the response to your complaint, you can elect to escalate their case to Service Complaint iaw JSP 831 Redress of Individual

Grievances: Service Complaints without a requirement to request a Stage 3 policy review.

a. **Admissibility.** Upon receipt of a Stage 3 complaint, the ACRP Secretary will undertake an initial review and respond to you within 5 working days to confirm the next course of action; this will be:

- (1) Accepted for full review.
- (2) Rejected - Out of Scope for Stage 3 Review.
- (3) Rejected - Time Barred / Open at Stages.

b. **Accepted for Review.** The ACRP Secretary will present the case for review to the Accommodation Complaints Review Panel. The Panel, chaired by Hd People Accommodation, or their appointed deputy, will normally conduct its business by email and comprises OF5 or above representation from your Service and an OF5 or equivalent representative from DIO Accommodation.

c. **Out of Scope for a Stage 3 policy review.**

- (1) All matters covered at para 3.
- (2) Where the redress requested is outside of the remit of the ACRP, including financial redress – see paras 11 and 12.
- (3) The ACRP are unable to arbitrate on cases relating to the individual conduct of IP or MOD employees as these matters should be addressed through the relevant HR process.

d. **Time barred / open at Stages 1 or 2.** Cases that have been submitted outside the scope of para 2 or have not been closed at Stage 2 will not be accepted at Stage 3.

Fast Track Process

8. Where a case cannot be satisfactorily resolved at the current Stage, but it could be resolved at a later Stage, then it can be agreed to escalate it directly to the next Stage. Prior agreement needs to be sought from either DIO (Stage 2) or Defence People-Accommodation (Stage 3) before a case can be escalated and you are to be formally notified of this decision. Once escalated the response times of that Stage then apply.

Closure

9. At each stage of the process a formal written response is required to close the complaint. The process for closing complaints varies at each stage, as follows:

- a. **Stage 1.** Complaints should not be closed until the restorative action agreed by the Contractor has been completed.
- b. **Stage 2.** Complaints are closed with a formal written response from DIO Accommodation, which will include details of the next stage if you are dissatisfied with the response.
- c. **Stage 3.** The policy review is completed with a formal written response from either the Review Secretariat or the Chair of the Review Panel.

Reopening Complaints

10. Where it is identified that the restorative action agreed as part of the closure at any stage of the complaints process has not been completed then the complaint should be reopened at the appropriate Stage. In such circumstances, there is no time limit for the internal reopening of a case, but action should be taken to complete the restorative action as quickly as possible.

Powers of redress

11. You should be clear in your submission as to the redress they are seeking as resolution to the complaint. The powers of redress available through the SFA/SSFA complaints process vary at each stage, as follows.

- a. **Stage 1.** The contractor can provide whatever redress they deem appropriate to resolve the complaint, which could include an apology, commitment to resolve the matters within a set timescale or even financial compensation.
- b. **Stage 2.** DIO Accommodation can only provide the redress if it is within the scope of the IP or substitute contract. They can, and will, seek to resolve matters for the complainant, but if the resolution is outside of the contract, then they have no ability to direct the contractor to carry out a specific action, such as the payment of financial compensation.
- c. **Stage 3.** The Review Panel has the power to consider where policy may or may not have been interpreted correctly and provide appropriate redress this includes direction to DIO Accommodation or the IP to reverse decisions where policy has been misinterpreted or misapplied. However, outside of this its powers to direct specific redress are also limited to the scope of the IP or substitute contract.

Compensation/Financial Reimbursement

12. The IP can offer compensation for missed appointments and failed move in, via a voucher scheme that is administered separately to the STT process (para 1). They

will not consider any other form of financial compensation as part of any redress at Stage 1. Neither Stage 2 nor Stage 3 has the power to direct either the payment of compensation, direct an increase in the offer of compensation already made through the voucher scheme or to pay compensation or financial reimbursement of any kind. Where the redress sought is financial and related to contractual issues/disputes around alleged failures by DIO, or IP, to deliver acceptable service levels to individuals of Defence provided accommodation, or reimbursement of costs incurred for issues outside the scope of the contract, complainants where cases are outside the scope of Stage 3, who wish to escalate their case to a Service Complaint, may do so directly bypassing Stage 3 following the completion of Stage 2.

Common Law Claims

13. Separately, common law claims relating to personal injury, or damage sustained to personal property due to negligence on the part of the MOD can be considered independently of the STT accommodation complaints process. Common law claims will be considered on the basis of whether or not the MOD has a legal liability to pay compensation. Where there is a proven breach of legal liability, compensation is paid. Although MOD may have a legal responsibility, compensation will not be awarded, if following investigation, the Department is not in breach of duty. Common law claims should be directed to MOD's contracted claims administrators, Topmark Claims Management Solutions, part of the Davies Group at Defence.CM@davies-group.com.

Submission

14. Wherever possible, to expedite complaint handling, complaints should be submitted electronically.

a. **Stage 1.** Complaints can be submitted via any of the methods publicised by the IP or Substitute Contractor's Helpdesk. Full details of the matter should be provided as well as the desired outcome or remedy being sought. Do you have any practical needs where we could help – by making adjustments like using large print, Braille or a different language? This should be included.

b. **Stage 2.** There are two ways of submitting a Stage 2 complaint, which are:

(1) **Interactive form:** by completing the [SFA stage 2 complaint form](#).

(2) **Email** - by emailing the DIO Customer Service Team setting out your stage 2 complaint so that you include:

(a) the stage 1 complaint reference number (which begins CAS).

(b) your name and telephone number.

- (c) the SFA address relating to your complaint.
- (d) why you are not happy with the result of your stage 1 complaint.
- (e) what desired outcome or remedy you are seeking.

Any emails not containing all of this information will not be accepted by the Customer Service Team. Please send your fully completed email to: DIORDAccn-Stage2NOREPLY@mod.gov.uk

c. **Stage 3.** Following the closure of a stage 2 complaint, a request for a Stage 3 policy review can be submitted:

Online – UK MODNET Users only	Stage 3 Complaints Form
Email using interactive form	Available on Service Family Accommodation - GOV.UK (www.gov.uk) to people-accom-acrp-stage3@mod.gov.uk
Letter (<i>please note that submission via letter this could delay the response time</i>).	Accommodation Complaints Review Panel Secretariat, People Accommodation, Ministry of Defence, Floor 6, Zone N, Main Building, Whitehall, London, SW1A 2HB

- (1) Submissions to the ACRP must include the following details:
 - (a) The stage 1 and 2 complaint reference numbers.
 - (b) Your name, full postal address, email address and telephone number.
 - (c) The SFA address relating to your complaint.
 - (d) The area of policy you feel has been misinterpreted or misapplied.
 - (e) The desired outcome or remedy you are seeking.

Timings

15. To effectively deal with complaints, it is necessary for them to be considered as close as possible to the date of the matter arising. Therefore, complaints are to be submitted within the timings detailed in the table below. Complaints submitted

outside these timings will only be considered if there are clear extenuating circumstances, such as deployments, training etc. Accepting complaints outside of these timings will be assessed on a case-by-case basis.

	Submission within
Stage 1	28 working days of the incident ²
Stage 2	28 working days from receipt of the Stage 1 response
Stage 3	28 working days from receipt of the Stage 2 response

Complaint Handling

16. Each stage of the complaints process should be dealt with expeditiously, but this should not be at the expense of matters being properly investigated and given full consideration. You should be kept informed throughout the progress of your complaint and the following response timings should be followed wherever possible:

	Acknowledgement within	Response, or update, within	Subsequent updates, if required
Stage 1	IP - 24 hours Substitute - 3 working days	10 working days	5 working days
Stage 2	3 working days	15 working days	5 working days
Stage 3	5 working days - this will include the outcome of the admissibility assessment.	28 working days	10 working days

Assurance of Complaints Handling

17. **Stage 1.** There are formal contractual processes in place to provide assurance of Stage 1 complaints by the contractor. These include: regular holding to account meetings; monthly 10% audit checks; and authorisation/review of time relief arrangements. In addition, any evident issues or trends are subject to ad hoc risk based DIO audits. In addition, the DIO Performance & Assurance Team conduct an annual EM02 Management Process Audit on Customer Services, as well as ongoing governance/assurance checks on the Stage 1 Complaints process.

18. **Stage 2.** The chain of command in DIO Accommodation is responsible for assuring the effective delivery of Stage 2 of the complaints process. This is undertaken through regular audits of outstanding and closed Stage 2 complaints. In

² If the complaint is related to a culmination of events/matters, then it should be submitted within 28 days of the last event.

addition, for any cases that progress to Stage 3 how the complaint has been handled will be considered and if required recommendations for improvements will be made.

19. **Stage 3.** The chain of command in MOD People-Accommodation is responsible for assuring the effective delivery of Stage 3 of the complaints process and maintaining a detailed record of submissions. In addition, for any cases that progress to Service Complaint how the complaint has been handled will be considered and if required recommendations for improvements will be made.

SFA/SSFA Complaints Procedure (Overseas)

20. Complaints relating to SFA/SSFA overseas should be raised in accordance with local processes as laid down at Annex A. Any matters that remain unresolved after completion of the local process can be submitted for a Stage 3 – Review, in accordance with Para 7.

**ANNEX A
TO CHAPTER 2
TO JSP 464 VOL 1 PT 3**

COMPLAINTS PROCESS CHART (OVERSEAS)

<p>1 (A)</p>	<p>Level 1. Telephone/Written Complaint.</p> <p>Complainant attempts to resolve the initial complaint by writing or calling the HSO.</p> <p>Acknowledgement letter sent to complainant. HSO will endeavour to resolve the problem and respond in writing within 10 working days. The response will include the appointment and address of the next level should the complainant wish to take it further.</p> <p>If the complaint needs to be referred to the Garrison Staff the complainant is to be advised of this and the new point of contact. Response still required within the original 10 working days.</p>	<p>Level 1. Telephone/Written Complaint.</p> <p>Complainant attempts to resolve the initial complaint by writing or calling one of the following:</p> <p>OC EMS (Akrotiri) UWO (Ayios Nikolaos) SSO SU (Episkopi) SSO SU (Dhekelia) 2IC (Troodos)</p> <p>Who will endeavour to resolve the problem and respond in writing within 10 working days.</p>	<p>Level 1. Telephone Complaint.</p> <p>Complainant attempts to resolve the initial complaint through the Families Housing Manager, who will endeavour to resolve the problem and respond in writing within 10 working days.</p>
<p>1 (B)</p>	<p>Level 2. Written Complaint.</p> <p>If the complainant is dissatisfied with the HSO response, he/she should write a formal complaint to the Deputy Garrison Commander and include a copy of the earlier response.</p> <p>The Garrison HQ is to acknowledge receipt of the complaint, which is then to be reviewed by the Garrison Housing Review Panel (GHRP). The complainant is to be advised of its findings, in writing, within 10 working days of receipt of the complaint.</p>	<p>Level 2. Written Complaint.</p> <p>If the complainant is dissatisfied with the response, he/she should write a formal complaint to the Station Commander (or OC BFESU – Episkopi) who will endeavour to resolve the problem and respond in writing within 10 working days.</p>	<p>Level 2. Written Complaint.</p> <p>If the complainant is dissatisfied with the response, he/she should write a formal complaint to the Commanding Officer, who will endeavour to resolve the problem and respond in writing within 10 working days.</p>

2	<p>Formal Complaint to Higher Service Authority.</p> <p>If the complainant is dissatisfied with the GHRP response, he/she can write to: UKSC(G) SO2 G1 PS with copies of all previous correspondence.</p> <p>The complaint will be reviewed by the Command Housing Review Panel and the complainant advised in writing, within 10 working days of receipt of the complaint.</p>	<p>Formal Complaint to Higher Service Authority.</p> <p>If the complainant is dissatisfied with the Station Commander's response, he/she can write to:</p> <p>Comd Ops Support HQ BFC Episkopi BFPO 53</p> <p>Who will endeavour to resolve the problem and respond in writing within 10 working days.</p>	<p>Formal Complaint to Higher Service Authority.</p> <p>If the complainant is dissatisfied with the Commanding Officer's response, he/she can request that the complaint is referred to :</p> <p>J1 Branch HQ BFGib.</p> <p>Who will endeavour to resolve the problem and respond in writing within 10 working days.</p>
3.	<p>Formal Complaint to Accommodation Complaints Review Panel.</p> <p>Complaint referred to group of Housing Management experts including some drawn from outside Housing Providers and a member of the Complainant's Service. May be reviewed by each member independently and findings passed to Panel Chair who will respond to complainant within 15 working days.</p>	<p>Formal Complaint to Accommodation Complaints Review Panel.</p> <p>Complaint referred to group of Housing Management experts including some drawn from outside Housing Providers and a member of the Complainant's Service. May be reviewed by each member independently and findings passed to Panel Chair who will respond to complainant within 15 working days.</p>	<p>Formal Complaint to Accommodation Complaints Review Panel.</p> <p>Complaint referred to group of Housing Management experts including some drawn from outside Housing Providers and a member of the Complainant's Service. May be reviewed by each member independently and findings passed to Panel Chair who will respond to complainant within 15 working days</p>

Notes:

1. Complaints in Germany involving repairs are referred initially to Defence Infrastructure Organisation (Europe) (DIO(E)). Referral to the Garrison Housing. Review Panel will occur if resolution is not achieved and will commence at Stage 1 (B).
2. Separate procedures exist for complaints specifically about repairs.

3. SLA Complaints Process

SLA Complaints Procedure

1. Responsibility for ensuring the effective management of Single Living Accommodation rests with the Local Service Commander who is required to ensure that all SLA occupants are informed of how to raise complaints relating to their SLA. The following information is provided as a guide only.

In Scope

2. You must relate to an action, or inaction by the unit and/or Substitute Contractor in the delivery of SLA in accordance with the extant accommodation policy. Possible areas for a complaint include, but not specifically limited to:

- a. Unresolved issues.
- b. Impolite or unhelpful MOD staff and/or contractors.
- c. Failure to achieve repair/works services in the contractual target time.
- d. Unfair or inconsistent interpretation by Contractors, or MOD staff, of accommodation policies or processes.
- e. Failure to meet legal responsibilities/contractual obligations.
- f. A decision which affects the occupant in an adverse way (which the occupant considers could reasonably have been foreseen).
- g. A failure to complete an agreed task.

Out of scope

3. These areas are defined because they are either outside of the powers of the complaints panel or are covered by other processes. The matters that are out of scope include, but are not limited to:

- a. **SLA Repairs and Maintenance.** All complaints relating to Facilities Management are to be reported through the respective helpdesk; the contact details and any reporting requirements should be provided in your accommodation or local orders.
- b. **Policy Challenges.** While the interpretation of policy can be dealt with through the complaints process, specific challenges of policy should be

submitted through the chain of command to the appropriate single Service Accommodation Colonel.

c. **Allowances.** Any accommodation related allowances, including Home to Duty, Get You Home, Disturbance Expenses, and Food and Incidentals Allowance, are covered by the Casework and Appeals process detailed in JSP 752 - Tri-Service Regulations for Expenses and Allowances.

d. **4 Tier Grading Challenges.** All challenges relating to SLA charging, including an accommodation grading error are covered in Chapter 6. For the full 4TG process, Service Personnel should refer to Volume 3 Part 1 Chapter 8.

4. If a complaint is submitted regarding one of these matters, then the Stage 1 response should include details of the relevant process that needs to be followed.

Stage 1 – Informal Resolution

5. Heads of Establishment (HoE) should have a published SLA complaints process for occupants, including powers of redress that details how issues should be raised through to the HoE. A formal record of complaints must be retained. It is your responsibility in the first instance to raise your concerns to your relevant Mess Manager or accommodation office/regional help desk for resolution. They are required to respond within one week of receipt. If it remains unresolved you should formally raise the issue to:

- a. Officers - President of the Mess Committee/Mess President.
- b. SNCOs - Chair of the Mess Committee/Mess Supervising Officer.
- c. ORs – Chain of Command.

If the complaint remains unresolved, in all cases, you should raise the complaint to the Head of Establishment (HOE) via your Chain of Command.

Stage 2 – Formal Complaint

6. If the complaint remains unresolved you should raise the complaint to the Head of Establishment (HOE) via your Chain of Command. Only matters raised within the Stage 1 complaint, or directly related to the handling of the complaint, will be considered at Stage 2. The HoE conduct an appropriate investigation and then seek to resolve the complaint. It is advised to contact the Local Service Commander, who may have a better insight into the complaint and ensure there's parity with the number complaints of that nature. In addition, if required, advice and information should be sought from independent experts.

Recommended Timelines for SLA complaints

	Acknowledgement within	Response, or update, within	Subsequent updates, if required
Stage 1	24 hours	7 working days	5 working days
Stage 2	3 working days	15 working days	5 working days

Stage 3 – Policy Review by the Accommodation Complaints Review Panel (ACRP)

7. Once the Stage 2 process has been completed and the case closed, a Stage 3 review request can be submitted to the Accommodation Complaints Review Secretariat, within Defence People-Accommodation where the complainant believes that accommodation policy has been misinterpreted or misapplied at Stages 1 or 2 of the complaints process. Stage 3 submissions must explicitly state which aspect(s) of accommodation policy the complainant believes has been misinterpreted or misapplied and provide evidence to support their claim. Where there is no doubt that the circumstances of the case fall outside the scope of a Stage 3 review, as listed below, the STT complaints process will be considered terminated at the end of Stage 2. At this point, if you remain dissatisfied with the response to your complaint, you can elect to escalate your case to Service Complaint iaw JSP 831 Redress of Individual Grievances: Service Complaints, without a requirement to request a Stage 3 policy review.

a. **Admissibility.** Upon receipt of a Stage 3 complaint, the ACRP Secretary will undertake an initial review and respond to you within 5 working days to confirm the next course of action; this will be:

- (1) Accepted for full review.
- (2) Rejected - Out of Scope for Stage 3 Review.
- (3) Rejected - Time Barred / Open at Stages 1

b. **Accepted for Review.** The ACRP Secretary will present the case for review to the Accommodation Complaints Review Panel. The Panel, chaired by Hd People Accommodation, or their appointed deputy, will normally conduct its business by email and comprises OF5 or above representation from the complainant's Service and an OF5 or equivalent representative from DIO Accommodation.

c. **Out of Scope for a Stage 3 policy review.**

- (1) All matters covered at para 3.

(2) Where the redress requested is outside of the remit of the ACRP, including financial redress – see paras 4 and 7.

(3) The ACRP are unable to arbitrate on cases relating to the individual conduct of IP or MOD employees as these matters should be addressed through the relevant HR process.

d. **Time barred / open at Stages 1 or 2.** Cases that have been submitted outside the scope of para 1 or have not been closed at Stage 2 will not be accepted at Stage 3.

Fast Track Process

8. Where a case cannot be satisfactorily resolved at the current Stage, but it could be resolved at a later Stage, then it can be agreed to escalate it directly to the next Stage. Prior agreement needs to be sought from either the HoE (Stage 2) or Defence People-Accommodation (Stage 3) before a case can be escalated and the complainant is to be formally notified of this decision. Once escalated the response times of that Stage then apply.

Redress Sought

9. Where the redress sought is outside the powers of the complaints process, while each Stage must ensure there is a full investigation and every attempt is made to resolve the matters, complaints should be dealt with quickly to ensure rapid progress to Service Complaint.

Closure

10. At each stage of the process a formal written response is required to close the complaint. The process for closing complaints varies at each stage, as follows:

a. **Stage 1.** Complaints should not be closed until the restorative action agreed has been completed.

b. **Stage 2.** Complaints are closed with a formal written response from the HoE, which will include details of the next stage if the complainant is dissatisfied with the response.

c. **Stage 3.** The policy review is completed with a formal written response from either the Review Secretariat or the Chair of the Review Panel.

Reopening Complaints

11. Where it is identified that the restorative action agreed as part of the closure at any stage of the complaints process has not been completed then the complaint should be reopened at the appropriate Stage. In such circumstances, there is no time limit for the internal reopening of a case, but action should be taken to complete the restorative action as quickly as possible.

Assurance of Outcomes

12. At each stage of the complaints process there should be a process for ensuring the delivery of the outcomes of the complaint. At Stage 1 this should be detailed in the relevant contract. At Stages 2 and 3 it is set out in the appropriate Terms of Reference.

Powers of redress

13. You should be clear in your submission as to the redress you are seeking as resolution to the complaint. The powers of redress available through the SFA/SSFA complaints process vary at each stage, as follows:

- a. **Stage 1.** Any redress they deem appropriate to resolve the complaint, which could include an apology, commitment to resolve the matters within a set timescale.
- b. **Stage 2.** The HoE can only provide redress within the scope of their delegated powers. They can, and will, seek to resolve matters for the complainant, but if the resolution is outside of the contract, then they have no ability to direct the contractor to carry out a specific action, such as the payment of financial compensation.
- c. **Stage 3.** The Review Panel has the power to consider where policy may or may not have been interpreted correctly and provide appropriate redress this includes direction to the HoE to reverse decisions where policy has been misinterpreted or misapplied.

Compensation/Financial Reimbursement

14. Where the redress sought is financial and related to contractual issues/disputes around alleged failures by the IP to deliver acceptable service levels to individuals of Defence provided accommodation, or reimbursement of costs incurred for issues outside the scope of the contract, the complainant can consider escalating their case to Service Complaint following the completion of Stage 2.

Common Law Claims

15. Common law claims relating to personal injury, or damage sustained to personal property due to negligence on the part of the MOD can be considered independently of the STT accommodation complaints process. Common law claims will be considered on the basis of whether or not the MOD has a legal liability to pay compensation. Where there is a proven breach of legal liability, compensation is paid. Although MOD may have a legal responsibility, compensation will not be awarded, if following investigation, the Department is not in breach of duty. Common law claims should be directed to MOD's contracted claims administrators, Topmark Claims Management Solutions, part of the Davies Group at: Defence.CM@davies-group.com.

Submission

16. Wherever possible, to expedite complaint handling, complaints should be submitted electronically.

- a. **Stage 1.** In accordance with local processes.
- b. **Stage 2.** In accordance with local processes.

4. Substitute Single Service Accommodation (SSSA) Complaints Procedure (UK)

1. The accommodation complaints process is a three Stage Special-to-Type (STT) procedure that exists to deal with matters related to the delivery of Service accommodation. In accordance with JSP 831 - Redress of Individual Grievances: Service Complaints: Part 1³ the STT process must be completed prior to the submission of a Service Complaint on the matter. **This policy should be read in conjunction with the detailed guidance on SSSA allocations in JSP 464 Vol 2 Chapter 8.**

In Scope

2. A complaint must relate to an action (or inaction) by the unit and/or the Substitute Contractor responsible for the delivery and maintenance of SLA/SSSA in accordance with the extant accommodation policy. Possible areas for a complaint include, but not specifically limited to:

- a. Unresolved issues.
- b. Impolite or unhelpful MOD staff and/or contractors.
- c. Failure to achieve repair/works services in the contractual target time.
- d. Unfair or inconsistent interpretation by Contractors, or MOD staff, of accommodation policies or processes.
- e. Failure to meet legal responsibilities/contractual obligations.
- f. A decision which affects the occupant in an adverse way (which the occupant considers could reasonably have been foreseen).
- g. A failure to complete an agreed task.

Out of scope

3. These areas are defined because they are either outside of the powers of the complaints panel or are covered by other processes. The matters that are out of scope include, but are not limited to:

³ Chapter 2, Para 17 - Completing a special-to-type process before making a service complaint.

a. **Policy.** While the interpretation of policy can be dealt with through the complaints process, specific challenges of policy should be submitted through the chain of command to the appropriate single Service Accommodation Colonel, (see para for details **Volume 1 para 0108** and **para 0104**).

b. **Allowances.** Any accommodation related allowances, including Home to Duty, Get You Home, Disturbance Expenses, and Food and Incidentals Allowance, are covered by the Casework and Appeals process detailed in JSP 752 - Tri-Service Regulations for Expenses and Allowances.

4. If a complaint is submitted regarding one of these matters, then the Stage 1 response should include details of the relevant process that needs to be followed.

Process

5. **Stage 1 – Complaint.** Where a matter occurs that requires the SSSA occupant to raise a complaint it should be submitted to the Substitute Contractor. The circumstances will be investigated, and the contractor will then seek to resolve the complaint.

6. **Stage 2 – Complaint.** Only when the Stage 1 process has been completed and the case closed, can a Stage 2 complaint be submitted to DIO Accommodation. Only matters raised within the Stage 1 complaint, or directly related to the handling of the complaint, will be considered at Stage 2. Any additional matters should be submitted as a separate Stage 1 Complaint. The DIO will conduct an appropriate investigation and then seek to resolve the complaint. If required advice and information should be sought from independent experts.

7. **Stage 3 – Complaint.** Once the Stage 2 process has been completed and the case closed, a Stage 3 review request can be submitted to the Accommodation Complaints Review Secretariat, within Defence People-Accommodation. The secretary will review the complaint for action. Should the ACRP secretary and chairman be unable to resolve the complaint they will present the case for review by the Accommodation Complaints Review Panel. The Panel will normally conduct its business by email, and it is chaired by Head People-Accommodation and comprises an OF5 or above representative from the complainants Service⁴ and an OF5 or equivalent representative from DIO Accommodation. Cases that are assessed as not requiring a review or outside the scope of Stage 3 will be responded to directly by the Secretariat.

8. **SSSA Complaints Submission Guidelines.** The following are the different methods and information that is required to be submitted at each stage of the complaints process:

⁴ Normally the single Service Accommodation Colonel.

a. **Stage 1.** Complaints can be submitted either by calling the Substitute Contractor’s Helpdesk or by emailing their customer service team. Full details of the matter should be provided as well as the desired outcome or remedy being sought.

b. **Stage 2.** There are two ways of submitting a Stage 2 complaint, which are:

(1) **Online.** Through the electronic form available via the DIO page⁵ on the Defence Intranet.

(2) **Email** - by emailing the DIO Customer Service Team setting out your stage 2 complaint so that you include:

- (a) the stage 1 complaint reference number.
- (b) your name and telephone number.
- (c) the SFA address relating to your complaint.
- (d) why you are not happy with the result of your stage 1 complaint.
- (e) what desired outcome or remedy you are seeking.

Any emails not containing all of this information will not be accepted by the Customer Service Team.

Please send your fully completed email to: DIORDAccn-Stage2NOREPLY@mod.gov.uk

c. **Stage 3.** Following the closure of a stage 2 complaint, a request for a Stage 3 policy review can be submitted:

Online – UK MODNET Users only	Stage 3 Complaints Form
Email	people-accom-acrp-stage3@mod.gov.uk
Letter <i>(please note that submission via letter this could delay the response time).</i>	Accommodation Complaints Review Panel Secretariat, People Accommodation, Ministry of Defence, Floor 6, Zone N, Main Building, Whitehall, London, SW1A 2HB

(1) Submissions to the ACRP must include the following details:

⁵ <http://defenceintranet.diif.r.mil.uk/Organisations/Orgs/DIO/Organisations/Orgs/Pages/OperationsAccommodation.aspx>

- (a) The stage 1 and 2 complaint reference numbers.
- (b) Your name, full postal address, email address and telephone number.
- (c) The SFA address relating to your complaint.
- (d) The area of policy you feel has been misinterpreted or misapplied.
- (e) The desired outcome or remedy you are seeking.

Timings

9. To effectively deal with complaints, it is necessary for them to be considered as close as possible to the date of the matter arising. Therefore, complaints are to be submitted within the timings detailed in the table below. Complaints submitted outside these timings will only be considered if there are clear extenuating circumstances, such as deployments, training etc. Accepting complaints outside of these timings will be assessed on a case-by-case basis.

	Submission within
Stage 1	28 working days of the incident ⁶
Stage 2	28 working days from receipt of the Stage 1 response
Stage 3	28 working days from receipt of the Stage 2 response

Complaint Handling

10. Each stage of the complaints process should be dealt with expeditiously, but this should not be at the expense of matters being properly investigated and given full consideration. Complaints should all be handled as follows:

- a. **Response Timings.** Complainants should be kept informed throughout the progress of their complaint and the following response timings should be followed wherever possible:

	Acknowledgement within	Response, or update, within	Subsequent updates, if required
Stage 1	3 working days	15 working days	5 working days
Stage 2	3 working days	15 working days	5 working days
Stage 3	5 working days	28 working days	10 working days

⁶ If the complaint is related to a culmination of events/matters, then it should be submitted within 28 days of the last event.

b. **Out of Scope Assessment.** Where the scope of the complaint is outside the remit of the complaints process, this should be clearly identified at the earliest opportunity and communicated to the complainant to avoid any delay in them finding resolution.

c. **Return to Stage 1.** Where it is identified at Stage 2 that a complaint has not been dealt with satisfactorily or handled correctly in accordance with the contract, then it can be returned to Stage 1. In such cases complainants are to be formally notified in writing of this decision with a clear explanation of why the complaint is being returned to Stage 1. The response timings above for Stage 1 then apply. If the complaint is still not resolved, then the complainant can resubmit the complaint to Stage 2. As part of this process DIO also provide the contractor with clear direction and guidance on the actions they need to take to resolve the issue and manage the complaint. This process forms a key part of the governance and assurance of Stage 1 complaints.

d. **Escalation.** Where a case cannot be satisfactorily resolved at the current Stage, but it could be resolved at a later Stage, then it can be agreed to escalate it directly to the next Stage. Prior agreement needs to be sought from either DIO (Stage 2) or Defence People-Accommodation (Stage 3) before a case can be escalated and the complainant is to be formally notified of this decision. Once escalated the response times of that Stage then apply.

e. **Redress Sought.** Where the redress sought is outside the powers of the complaints process, while each Stage must ensure there is a full investigation and every attempt is made to resolve the matters, complaints should be dealt with quickly to ensure rapid progress to Service Complaint.

f. **Closure.** At each stage of the process a formal written response is required to close the complaint. The process for closing complaints varies at each stage, as follows:

(1) **Stage 1.** Complaints should not be closed until the restorative action agreed by the Contractor has been completed.

(2) **Stage 2.** Complaints are closed with a formal written response from DIO Accommodation, which will include details of the next stage if the complainant is dissatisfied with the response.

(3) **Stage 3.** The review is completed with a formal written response from either the Review Secretariat or the Chair of the Review Panel.

g. **Reopening Complaints.** Where it is identified that the restorative action agreed as part of the closure at any stage of the complaints process has not been completed then the complaint should be reopened at the appropriate Stage. In such circumstances, there is no time limit for the internal reopening

of a case, but action should be taken to complete the restorative action as quickly as possible.

11. **Assurance of Complaints Handling.** The assurance of complaints at each stage of the process is carried out as follows:

a. **Stage 1.** There are formal contractual processes in place to provide assurance of Stage 1 complaints by the contractor. These include: regular holding to account meetings; monthly 10% audit checks; and authorisation/review of time relief arrangements. In addition, any evident issues or trends are subject to ad hoc risk based DIO audits. In addition, the DIO Performance & Assurance Team conduct an annual EM02 Management Process Audit on Customer Services, as well as ongoing governance/assurance checks on the Stage 1 Complaints process.

b. **Stage 2.** The chain of command in DIO Accommodation is responsible for assuring the effective delivery of Stage 2 of the complaints process. This is undertaken through regular audits of outstanding and closed Stage 2 complaints. In addition, for any cases that progress to Stage 3 how the complaint has been handled will be considered and if required recommendations for improvements will be made.

c. **Stage 3.** The chain of command in MOD People-Accommodation is responsible for assuring the effective delivery of Stage 3 of the complaints process. In addition, for any cases that progress to Service Complaint how the complaint has been handled will be considered and if required recommendations for improvements will be made.

12. **Assurance of Outcomes.** At each stage of the complaints process there should be a process for ensuring the delivery of the outcomes of the complaint. At Stage 1 this should be detailed in the relevant contract. At Stages 2 and 3 it is set out in the appropriate Terms of Reference.

13. **SSSA Powers of redress.** Complainants should be clear in their submission as to the redress they are seeking as resolution to the complaint. The powers of redress available through the SSSA complaints process vary at each stage, as follows.

a. **Stage 1.** The contractor can provide whatever redress they deem appropriate to resolve the complaint, which could include an apology, commitment to resolve the matters within a set timescale or even financial compensation.

b. **Stage 2.** DIO Accommodation can only provide the redress if it is within the scope of the substitute contract. They can, and will, seek to resolve matters for the complainant, but if the resolution is outside of the contract then they

have no ability to direct the contractor to carry out a specific action, such as the payment of financial compensation.

c. **Stage 3.** The Review Panel has the power to consider where policy may or may not have been interpreted correctly and provide appropriate redress. However, outside of this its powers to direct specific redress are also limited to the scope of the substitute contract.

Compensation/Financial Reimbursement

14. Where the redress sought is financial and related to contractual issues/disputes around alleged failures by the IP to deliver acceptable service levels to individuals of Defence provided accommodation, or reimbursement of costs incurred for issues outside the scope of the contract, the complainant can consider escalating their case to Service Complaint following the completion of Stage 2.

Common Law Claims

15. Common law claims relating to personal injury, or damage sustained to personal property due to negligence on the part of the MOD can be considered independently of the STT accommodation complaints process. Common law claims will be considered on the basis of whether or not the MOD has a legal liability to pay compensation. Where there is a proven breach of legal liability, compensation is paid. Although MOD may have a legal responsibility, compensation will not be awarded, if following investigation, the Department is not in breach of duty. Common law claims should be directed to MOD's contracted claims administrators, Topmark Claims Management Solutions, part of the Davies Group at: Defence.CM@davies-group.com

SSSA Appeals

16. Personnel will have the opportunity to appeal if they consider that the property they have been offered by the MOD contractor does not meet their entitlement or they reject it for exceptional personal reasons. The Service person, or their proxy' should raise the appeal within 24 hours of the viewing/move in appointment. The process of appeal is as follows:

- a. The MOD contractor will attempt to remedy any problem within their power at the time of the appointment.
- b. Personnel intending to appeal are advised to move into the property and appeal through their Unit/Chain of Command. If they do not move in on appeal, the MOD contractor will not provide temporary accommodation.

- c. The Service Person **must** raise their appeal via email to their Unit/Chain of Command **using** [SSSA Appeal Form](#), ensuring the Substitute Accommodation Team (SAT) are copied in (DIORDAccn-SubAccn@mod.gov.uk). The applicant **is to** ensure they have provided full evidence to support the **appeal** and that this is submitted at the time of any **submission**. The chain of command should answer the appeal within 3 working days, from receipt of the appeal.
- d. If the applicant's Unit/Chain of Command deem that the property shown meets the entitlement and that the applicant has not provided sufficient grounds to turn down the offer on appeal, for personal reasons, the applicant will be required to accept the property.
- e. If the Unit/Chain of Command agrees with the applicant, then the appeal should be raised to the appropriate Accommodation Colonel's office (Regional Command for the Army) for an independent decision to be made. The SAT and Unit/CoC must be informed of the outcome within **5** working days of receipt of the appeal.
- f. If an appeal is supported by the CoC and sS Accommodation Colonel the MOD contractor will be required to provide an alternative property in line with the application timeframe for administration by the contractor (JSP 464 Vol 2 para 8.301d). Personnel will continue to occupy the property that was initially allocated until that time.
- g. Where an appeal is not supported failure to accept the allocated property will be taken to mean that the applicant has waived their entitlement to publicly funded single living accommodation and they will be required to make private arrangements at their own expense. They may re-apply for SSSA after 6 months, if an entitlement still exists.
- h. If the applicant removes themselves from the scheme, the SAT should be informed as soon as possible so that a move out can be arranged and the application can be closed.
- i. Personnel retain their right of complaint through the normal Service channels.

5. CAAS Challenges and Appeals

Special-to-Type

1. The CAAS Challenge and Appeals process, is a two Stage Special-to-Type (STT) procedure that exists to deal with a Challenge/Appeal following either New Occupancy or on Reassessment. In accordance with JSP 831 - Redress of Individual Grievances: Service Complaints: Part 1⁷ the STT process must be completed prior to the submission of a Service Complaint on the matter.

Scope

2. DIO are responsible for managing the CAAS Challenge and Appeals process, which applies to all SFA and SSFA, including Overseas, where a CAAS Band is applied. A summary of the process is provided in the table below:

Stage	UK	Overseas	Delegated Authority
Stage 1 Challenge	Raise issue with DIO Service Provider ⁸ in writing as a Stage 1 Challenge; individual is to provide reason for challenge against one or more of Condition, Location and Scale criteria, providing detail as to the basis of the challenge.	Raise issue with DIO UK Service Provider, who will be responsible for directing the Challenge to the appropriate Local OS office ⁹ . You are to provide reason for challenge against one or more of Condition, Location and Scale criteria, providing detail as to the basis of the challenge.	Delegated authority to review the original evidence-base and confirm the assessment is in accordance with the regulations. Authority to award temporary or permanent reduction or increase in CAAS Band. Does not have authority to alter existing policy or set a precedent.
Stage 2 Appeal	If not satisfactorily resolved, you may raise the issue with DIO Accommodation through the DIO Service Provider.	If not satisfactorily resolved, you may raise the issue with DIO CAAS OS Team.	Delegated authority to review the original challenge decision, consider any new evidence presented by the occupant or other parties and confirm the assessment is in accordance with the regulations. Authority to award temporary or permanent reduction or increase in CAAS Band. Authority to backdate any over-

⁷ JSP 831 Chapter 2, Para 17 - Completing a special-to-type process before making a service complaint.

⁸ The DIO contractor in the UK.

⁹ Appropriate Office is the body responsible for managing Band for Charge assessments locally, either the relevant DIO business unit or Service Provider.

			<p>payment.</p> <p>Does not have authority to alter existing policy or set a precedent.</p>
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Challenge of CAAS Banding

3. As an occupant you may challenge the evidence-base of the assessment findings, either on New Occupancy against any of or a combination of the three criteria (Condition, Scale or Location)¹⁰; on Reassessment (only on the criteria that has been re-assessed), or on the introduction of a policy change from the date of implementation of that change. It must be stated what the challenge relates to and the restorative action sought. You have 28 working days, from the date of occupancy, receipt of notification or implementation date of the policy change in which to challenge the CAAS band and/or Garage Charge, both in writing (or e-mail).

4. If a challenge is raised at Stage 1, it is for the DIO Service Provider to determine whether the circumstances presented are exceptional and whether they fall within or out with the intent of this JSP. Having considered the relevant information, the DIO Service Provider may decide to:

a. **Uphold the challenge.** Where it is agreed the assessment and administration of the charge has been applied incorrectly (in accordance with the regulations in this JSP), the challenge will be upheld, and the charge amended accordingly.

b. **Reject the challenge.** If the assessment and administration of the charge has been applied correctly (in accordance with the regulations in this JSP), the challenge will be rejected.

c. **Refer the challenge.** Where the case falls out with the intent of this JSP, and / or the circumstances are believed to be exceptional, the case may be referred to DIO Accn together with any supporting evidence.

5. Any change in accommodation band arising from a successful challenge will be backdated to the date of occupancy or reassessment.

Appeal of CAAS Banding

6. You have 28 working days, following receipt of the outcome of a CAAS Challenge to raise an Appeal. This appeal can either be in writing (or e-mail).

¹⁰ A Template letter can be found in JSP 464 Volume 3 Part 2 Chapter 2 Annex A.

7. If an appeal is raised at Stage 2, it is for DIO Accn to review the findings of the DIO Service Provider and to determine whether the circumstances presented fall within or out with the intent of this JSP. [SP service OS are to submit their Stage 2 Appeals to the CAAS OS Teams multi-user email account: DIORDAccn-CAASOSMultiuser@mod.gov.uk](#). Having considered the relevant information, DIO Accn may decide to:

- a. **Uphold the appeal.** If it is assessed that the charge has been applied incorrectly, the appeal will be upheld, and the charge amended accordingly.
- b. **Reject the appeal.** If it is assessed that the charge has been applied correctly, the appeal will be rejected.
- c. **Refer the appeal.** Where it is considered that there is sufficient justification for exceptional treatment, DIO is to staff casework to People-Accommodation. In considering the case, People-Accommodation may consult with the Single Service Authority and will respond to DIO.

8. Any change in accommodation band arising from a successful appeal will be backdated to the date of assessment.

Timings

9. Challenges and Appeals are to be submitted within the timings detailed in the table below. Where an occupant perceives they have reasonable grounds for their case to be considered 'out of time' they should seek an exception to the 28-day ruling by providing appropriate evidence. Accepting Challenges and Appeals outside of these timings will be assessed on a case-by-case basis.

Stage	Submission within
Stage 1 - Challenge	28 working days from either date of New occupancy letter (MI) or from the date of reassessment notification
Stage 2 - Appeal	28 working days, following receipt of the outcome of a CAAS Stage 1 Challenge

Challenge and Appeal Handling

10. Each stage of the challenge process should be dealt with expeditiously, but this should not be at the expense of matters being properly investigated and given full consideration. You should be kept informed throughout the progress of your Challenge or Appeal and the following response timings should be followed wherever possible:

Stage	Acknowledgement within	Response within
Stage 1 - Challenge	3 working days	28 working days
Stage 2 - Appeal	3 working days	28 working days

Responses

11. At each stage of the process a formal written response will be provided, which explains clearly the reasons for any decision.

6. FOUR TIER GRADING CHALLENGES (SLA ONLY)

When can an SLA Charge be challenged?

1. **SP can challenge their SLA charge in the following circumstances:**
 - a. Where you believe there has been an administrative error and your accommodation grade has been incorrectly recorded on JPA.
 - b. Where you believe that there is an error in the Grading Points Summary Sheet.
 - c. Where you believe that the 4 Tier Grading Board was not conducted iaw policy.

Within 3 months of move in

2. On moving into SLA, the accommodation sponsor is responsible for informing occupants:
 - a. of the current Grade for Charge of their accommodation.
 - b. that they have 3 months, from the date of their occupation, in which to challenge the grade for charge in writing; and that any change in accommodation charges arising from a successful challenge will be backdated to the date of first occupancy (see para 7).

Following completion of a Four Tier Grading Board

3. Following a Grading Board should the SLA occupant suspect that there is an error in the Grading Points Summary Sheet or wish to challenge the findings of the Board, they should immediately inform the appropriate sponsor in writing. The findings of the Board may then be reviewed.

Invalidation of the findings of a Board

4. The findings of a Board will be invalidated if:
 - a. the results of the Grading Board are not staffed within 2 months of the date of the Board's visit as specified in the 4TG Board Convening Order (para 0821), and not notified to occupants within 3 months of that date (para 0823); as specified in the 4 Tier Grading Board Convening Order and notified in the Record of Proceedings. 8-7 JSP 464 Vol 3 Pt 1 (V22.0) 28 Jul 23.

- b. a breakdown in the grading procedures takes place within the prescribed timeframe which results in occupants of affected accommodation being unfairly disadvantaged.

Action by the Service Authority

5. To avoid long-term retrospective claims, challenges of grade on first occupancy must initially be examined within 1 month of receipt of the challenge by a representative of the Service Authority and the accommodation sponsor. Depending on the outcome of the initial visit the Service Authority is to determine whether there is a requirement for a full Grading Board to take place. If there is a requirement, the full Grading Board's site visit must take place within 3 months of receipt of the challenge.

Refunds of charges where a grading error or challenge is upheld.

6. Where an error or challenge is upheld, MOD (via the Service Authorities) has delegated authority by HM Treasury to allow a refund of accommodation charges back to the date of occupancy; subject to approval by the appropriate budget-holder. Any request outside of this delegation would require exceptional HM Treasury approval via People Accommodation.

7. For the full 4TG process, Service Personnel should refer to Volume 3 Part 1 Chapter 8.

7. Policy Challenges

Challenges to Policy

1. You should raise any challenges relating to accommodation policy (as opposed to complaints on the delivery of accommodation) with your respective Chain of Command (CoC), clearly detailing the issue; the change being sought and the justification for the changes, including any issue of potential discrimination.
2. Where the CoC cannot resolve the issue, you should seek advice from the relevant single Service Accommodation Colonel policy staff¹¹, who will judge if either the interpretation of policy is correct and/or where they perceive that the policy is wrong. Where they believe that the challenge merits a review of policy as opposed to consideration under casework, the work will be considered by the Accommodation Policy Working Group (see below).

Accommodation Policy Working Group

3. The Accommodation Policy Working Group (APWG) includes representation from the single Services, UK Strat Com, Defence Infrastructure Organisation and Defence Equipment and Support. Meeting on at least a quarterly basis, the working group consider accommodation policy issues including those identified through casework, challenges, changes in legislation or other Defence policies and propose improvements. Any member of the APWG can propose a review of policy.

Accommodation Steering Group

4. The Accommodation Steering Group (ASG) is chaired by Hd Accommodation Policy and includes senior representation from the single Services, UK StratCom, Defence Infrastructure Organisation and Defence Equipment and Support. Meeting at least once a year they provide strategic direction on accommodation policy to the APWG and consider recommendations proposed by the APWG. As necessary the ASG will identify decisions that should be taken by the People Leadership Team or at Ministerial level.

¹¹ For the Army, the Accommodation Colonel should be consulted on any policy matters; however, responsibility and arbitration for accommodation delivery issues and casework is delegated to Family Support in Regional Command.