

## VI.1

# Complaints Policy

<b>Effective from: (M/Y)</b>	July 2018
<b>Effective to: (M/Y)</b>	July 2021
<b>Policy Author/Owner</b>	Janette Taylor
<b>Directorate</b>	Customer Services
<b>Consultation (Y/N)</b>	Y
<b>Impact Assessment(s) (Y/N)</b>	Y
<b>Approval Body</b>	Leadership
<b>Date Approved (M/Y)</b>	Minor updates – July 2018

## 1. Policy aim

- 1.1 This policy sets out Together Housing Association's approach to dealing with complaints from its tenants and other customers.

The RSH Consumer standard "Tenant Involvement & Empowerment" states that "*a registered provider shall have an approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly*". This policy sets out to ensure this requirement is met.

The policy will ensure that this form of feedback is used to improve the customer experience, deliver high levels of satisfaction and identify learning that supports process improvements.

## 2. Where does it apply

- 2.1 This policy applies to tenants of, and applicants for, THA rented housing as well as tenant leaseholders concerning repeated service failure.

It can be used alongside the relevant service standard and procedures to help understand the approach THA takes to ensure complaints are handled quickly and responsibly.

- 2.2 THA defines a complaint as:-

***"Where a customer is dissatisfied with the service they have received from THA, or one of our contractors and want us to respond or take action"***.

- 2.3 Examples of what we will consider as a complaint include:-

- Failure to provide a service
- Failure to provide a service to a standard that could reasonably be expected
- Failure to follow a THA policy or procedure
- The unhelpful attitude of a member of staff
- Failure to provide information or the right information in a timely manner.

- 2.4 THA will not deal with any of the following as a complaint under this policy/procedure:-

- An initial request for a service
- Reports of neighbour nuisance or anti-social behaviour
- Complaints about services which are not provided by THA
- A complaint relating to an Insurance claim referred to THA's Insurance providers
- A complaint which is considered as vexatious or unreasonably persistent
- A complaint which relates to alleged failure to comply with the General Data Protection Regulation (GDPR)
- A complaint relating to an executive or non-executive director of THA (Separate procedures will apply in both circumstances)
- A complaint which relates to an event more than 6 months before the date that we receive the complaint

- Any issue which is subject to pending or ongoing legal proceedings or investigation.

### 3. Our policy is

3.1 Together Housing Association (THA) has adopted the principles set out by the Housing Ombudsman Service in its approach to complaint resolution. THA will:-

- **Be fair** – treating people fairly and follow fair processes - a constructive approach that applies consistent principles to all complaints and each complaint is considered on the facts of each individual case
- **Put things right** – where we have got things wrong
- **Learn** from the outcome of complaints – feedback to service users including the complainant on lessons learnt and actions taken to improve service delivery

### 4. Making a complaint

4.1 THA offers a range of ways in which people using our services may indicate that they might have a complaint. This includes via social media and our text based feedback system Rant and Rave. These will be set out within our procedures.

4.2 THA will accept complaints from advocates acting on behalf of another person, where that person has a right to complain.

### 5. How will THA aim to resolve complaints?

5.1 THA recognises that sometimes we get things wrong or don't meet the levels of service that our customers have been promised and that we set out to deliver. When this happens THA operates a staged process that will always seek to resolve complaints at the earliest opportunity.

5.2 THA will put customers at the heart of the process by working in partnership with customers through the complaints process and to deliver proportionate resolutions.

5.3 **Mediation** may be offered at any stage of the complaints process. Mediation is a balanced, positive way of sorting things out before the conflict starts to affect people's quality of life. Mediation is impartial and fair for all parties involved and helps people to find a way to work out a solution to their problems. Mediation offers both parties the opportunity to help improve communication and look at resolutions which suit both the landlord and the tenant.

5.4 **Get It Sorted** (GIS)

First of all and with the customers consent we will always aim to resolve the complaint by putting things right as quickly as possible. We call this process "**Getting it sorted**". We aim to find a resolution to complaints within 5 working

days at this stage.

## 5.5 Stage 1 – Investigating your complaint

If a customer prefers a more detailed investigation into their problem or if we are unable to resolve it to their satisfaction within 5 working days then the customer can request that this is investigated under the formal stage of our complaints process. ***“Investigating your complaint”***

If a complaint is considered particularly serious or sensitive and requires the immediate attention of a service manager, this will be dealt with immediately under this stage of our procedure.

This stage of the process will involve a full investigation of the complaint by a Manager or equivalent, with the outcome of the investigation and the agreed resolution set out in writing within 10 working days.

## 5.6 Stage 2 – Reviewing your complaint

If a customer believes that THA has failed to fully address their complaint, they may request a review of the case and the subsequent decision. This request must clearly set out why the complaint (and decision) has not been considered fully and what they believe we can do to resolve the problem.

If a review of the case and the subsequent decision is considered appropriate, this will be carried out by a Senior Manager or equivalent. They will review the complaint to ensure that it has been conducted appropriately and that THA has been fair, attempted to put things right and we have learned from the complaint. The outcome from this review will be set out in writing within 15 working days.

This stage forms the last internal stage of THA’s complaints process.

Details of each stage of the complaints process as set out in this policy are set out within THA Complaints procedures.

## 6. How will we deal with complaints? Our principles

### 6.1 Having a positive approach to complaints

THA will adopt a positive culture towards complaints throughout the organisation recognising complaints as a learning opportunity to improve services to our customers. We will do this by:-

- Ensuring our Boards, Leaders and Senior Managers provide effective Leadership in complaint management, ensuring clear accountability throughout our structures, with a focus on achieving positive outcomes and learning from complaints
- Ensuring adequate resources are made available for complaint handling
- Providing open and transparent processes which are accessible to customers
- Ensuring expectations are properly managed

- Aiming to resolve complaints at the earliest opportunity, learning from the outcomes and ensuring staff understand their roles and responsibilities and have the authority to resolve complaints
- Providing training to staff to ensure they have the skills and ability to resolve complaints at any stage
- Ensuring that diversity is taken seriously to make sure that tenants are treated fairly whatever their circumstances.

## 6.2 Being fair – Treating people fairly and following fair processes

THA will ensure that we treat people fairly by:-

- Providing people with the same standard of service, while taking account of the individual and their circumstances and respecting privacy and confidentiality
- Being flexible in our application of policies and procedures to ensure we take account of individual needs
- Being consistent and transparent in our approach to complaints
- Being clear about where responsibilities lie for resolving complaints
- Giving everyone involved in a complaint the opportunity to explain their point of view
- Being clear how we will deal with complaints, or complainants which we consider to be vexatious or unreasonable.

THA will ensure we follow fair processes by:-

- Providing clear and accessible information about our complaints process
- Offering different ways in how to make a complaint, with help to access the process if needed
- Seeking to resolve complaints at the earliest opportunity
- Providing opportunities for customers to challenge decisions and have their complaint escalated if an agreed resolution cannot be found
- Being clear and realistic on timescales to manage expectations
- Basing our decisions on evidence and the facts of the particular complaint
- Giving clear information on how decisions have been made and how they may be challenged.

## 6.3 Putting things right - where we have got things wrong

THA will always aim to find appropriate and satisfactory resolutions to complaints, and will seek to remedy situations where we have got things wrong. We will do this by:-

- Seeking to find solutions which satisfy all parties to a complaint and maintain a positive relationship with our tenants and other customers
- Ensuring that staff who deal with complaints are trained, empowered and can make decisions which will resolve complaints appropriately
- Managing expectations by not making promises that we can't keep
- Aiming to rectify situations by putting tenants back in the position where they would have been before we got things wrong

- Offering financial compensation where appropriate through our compensation policy
- Always complying with law, policy and good practice
- Learning from individual complaints and putting right any wider issues with policy, procedures or service delivery.

#### 6.4 Learning from the outcome of complaints

THA will aim to learn lessons from the outcome of complaints in order to improve the services that we deliver for our tenants and others customers. We will do this by:-

- Having systems in place to proactively record and analyse data from complaints, and reviewing the outcomes to identify implications for service delivery
- Capturing and recording satisfaction levels through our various feedback mechanisms on how complaints have been handled, to identify areas for improvement
- Reporting this information throughout our governance, tenant scrutiny and resident involvement structures to ensure we focus on continuously improving the services we deliver.

### 7. Designated Persons and the Housing Ombudsman

7.1 In addition to THA's internal complaints process, customers may also contact a designated person (Councillor, MP or Tenant Panel) to mediate in their complaint.

7.2 THA will liaise with designated persons to find an appropriate resolution to complaints within the principles of being **fair** and **putting things right**.

7.3 Customers may also refer their complaint directly to the Housing Ombudsman Service via a designated person or wait 8 weeks from the completion of THA's internal complaint process.

### 8. Vexatious, Persistent or Unreasonable Complaints

8.1 THA has procedures in place which it will apply to ensure that we use our resources effectively when faced with tenants who may make vexatious, persistent or unreasonable complaints. We define this where complainants demonstrate any of the following: -

- *Persist in pursuing a complaint when THA's two stage Complaints process has been fully and properly implemented and exhausted.*

Or, at any stage in the complaint process they: -

- *Persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by raising further concerns about the issue without presenting any new information*

- *Use abusive or inappropriate language or make threats to, or about, any THG staff or a person or body acting on its behalf in any format (verbal or written). Unsubstantiated allegations can be abusive behaviour*
- *Are repeatedly unwilling to accept decisions or explanations, that documented evidence given is factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions*
- *Repeatedly do not clearly identify the precise issues that they wish to be investigated*
- *Have an excessive number of contacts with the company, and/or the amount of information they seek or provide - placing unreasonable demands on staff*
- *Regularly focus on a trivial matter to an extent that is out of proportion to its significance and continue to focus on this point.*

We will not deal with correspondence or other forms of communication that is abusive to staff or contains allegations that lack substantive evidence.

## **9. Implementing this Policy**

- 9.1 All staff are responsible for implementing this policy.
- 9.2 This policy and associated service standard and procedures will be made available to all staff and tenants/residents and in a range of formats where there is a specific need or request.
- 9.3 Information on complaints made will be made available to senior managers on at least an annual basis.

## **10. Associated Documents**

- Complaint Procedure
- Compensation Policy / Procedure
- Vexatious Complaint Procedure

# Version Control Log

## THA – Complaints Policy

Version No.	Date effective from	Policy Owner	Approved by?	Issued to?	Published on Website / Intranet	Summary of Key changes
V1.1	July 2018	Head of Customer Service	N/a – minor updates	Staff	Intranet	<p>Transferred to corporate policy template.</p> <p>Now under new Directorate</p> <p>Re-ordered content to bring forward approach to resolution stages.</p> <p>Changed data protection legislation reference to GDPR (2.4).</p> <p>Reduced time for a complaint to be considered from 12 months to six following staff consultation (2.4).</p> <p>Extending the range of ways for customers to raise a complaint to include “Rant &amp; Rave” and social media (4.1).</p> <p>Added that independent mediation may be offered at any point in the process (5.3).</p> <p>Expanded section on “Vexatious” complainants to clarify definition (8.1)</p> <p>Amended wording to reflect the service we deliver.</p>