

## **Policy: Complaints**

### **1. Adopted by the following group entities**

<b>Name</b>	<b>Date Approved</b>	<b>Name</b>
FourSynergy Group		Impact Investment Management
Change Housing	26 Feb 2024	Inspiring Homes
Hilldale Housing Association	26 Feb 2024	Valorum Care Group
Quays Housing	26 Feb 2024	Fairhome Group

### **2. Purpose and Objectives**

It is important to us that we listen and respond to our customers. Our Complaints Policy is one of the ways through which customers can tell us what they think. This policy sets out how customers can make a complaint and what they can expect to happen as a result.

Hilldale as a Registered Provider is required to follow both the Regulator of Social Housing's (RSH's) regulatory Consumer Standards particularly in reference to Transparency, Influence and Accountability, and the Housing Ombudsman's Complaint Handling Code ("the Code"). Change and Quays are not Registered Providers but choose to follow the same provisions as a model of best practice. In accordance with the Code and good governance we are required to have and publish a complaints policy, the policy is published on our website.

We understand the diverse needs of our customers and we will do what we can to make sure that all our customers are able to access our complaints policy. We will treat our customers fairly and will comply with the requirements of the equality act 2010.

### **3. Scope**

This policy applies to Hilldale Housing Association, Quays Housing and Change Housing. All colleagues, board members and contractors working on our behalf must understand and comply with the policy.

This policy applies to all customers including tenants, residents and service users and they can make complaints about the organisation, its contractors or managing agents.

Customers and their advocates can make a complaint. This is not a legal process and therefore we do not accept complaints from legal representatives, unless they are acting as attorney or advocate on behalf of a customer. In any event, legal challenges will be treated as such and not taken through the complaints process.

<b>Title: Complaints Policy</b>	<b>Version: 2</b>	<b>Date: 26/02/2024</b>
<b>Prepared By: Amy Kirk</b>	<b>Approved By: PAG 26 Feb 2024</b>	<b>Ref. No.:4SG-P-030</b>
		<b>Page 1 of 6</b>

#### **4. Definition of a complaint**

The Housing Ombudsman's complaint handling code defines a complaint as;

*'an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the landlord its own staff, or those acting on its behalf, affecting an individual resident or group of residents.'*

A resident does not have to use the word complaint for it to be treated as such, However when a resident expresses dissatisfaction we will give them to choice to make a complaint.

We will not consider a matter a complaint if:

- It is an initial request for a service- A service request is a request from a resident to the landlord requiring action to be taken to put something right.
- It is a request for information
- It is a complaint about a service not provided by, or contracted by us
- The complaint relates to the annual rent or service charge increase, unless we have failed to provide a service paid for through the service charge or we are made aware of a potential error in the calculation of the rent or service charge.
- The complaint relates to a report of anti-social behaviour, unless we have failed to investigate the report in line with our anti-social behaviour policy and procedure.
- We may refuse to engage with customers who behave in an unacceptable manner.
- The issue giving rise to the complaint occurred over 12 months before the complaint was raised. Where the problem is a recurring issue, we will consider any older reports as part of the background to the complaint if this will help to resolve the issue for the complainant
- Legal proceedings have been started, in which case we will take steps to keep the complainant informed (e.g. by letter) but will not consider it a new complaint
- The matters have already been dealt with as part of this policy.

#### **persistent or unreasonable complaints:**

Every effort will be made to resolve a complaint before a complaint can be described as unreasonable and we will work with advocates or carers where a customer wishes us to do so in order to achieve an appropriate resolution. A complainant who displays threatening or abusive behaviour or language to colleagues and/or continues to contact us with unreasonable demands following the completion of the complaint process, may be considered a vexatious, persistent or unreasonable, complainant. Unreasonable demands can include seeking excessive amounts of compensation, demanding an unrealistic nature or scale of service, or seeking to prolong contact by continually raising new issues throughout an investigation. The Managing Director will make the decision regarding when a complainant is making unreasonable demands, in conjunction with the relevant service Director, and with reference to the Unreasonable Behaviour Policy.

#### **5. How to make a complaint**

There are several ways to make a formal complaint.

Title: Complaints Policy		Version: 2	Date: 26/02/2024
Prepared By: Amy Kirk	Approved By: PAG 26 Feb 2024	Ref. No.:4SG-P-030	Page 2 of 6

For Hilldale:

- Online at [www.hilldale.org.uk](http://www.hilldale.org.uk)
- By calling our team on 01257 367374
- Email [hello@hilldale.org.uk](mailto:hello@hilldale.org.uk)
- Tell a member of Hilldale staff

For Quays:

- By calling our team on 01257 367374
- Email [info@quayshousing.co.uk](mailto:info@quayshousing.co.uk)

## **6. Complaint Process**

We will provide clear guidance to customers when we receive a complaint, and at all stages of the complaint process, including how to escalate the complaint if the customer remains dissatisfied and how to access the Housing Ombudsman Service (or other services) for support.

We will keep a full record of the complaint, our response and all communications with the customer.

### **Acknowledging a Complaint – five working days**

We will acknowledge a complaint within 5 working days of receiving it. The acknowledgement will set out our understanding of the complaint and the outcome the customer is seeking. Where details are unclear, we will ask the customer for clarification, and we will tell the customer if the outcome they are seeking is unreasonable or unrealistic.

### **Stage one complaints -10 working days**

Stage one complaints will be investigated by a manager. This includes assessing the issue, the outcome needed to resolve it and whether any urgent action is required. We aim to respond with the actions we will take to resolve the complaint within **10 working days**.

In exceptional circumstances we may be unable to respond within this timescale of **10 working days**. We will always explain this to the customer and provide a clear time frame for the response, which will not be more than a further **10 working days**.

Where the investigation leads to adverse findings against the complainant, a member of staff, contractor or other representative, we will give them the opportunity to comment on the findings before a final decision is made. This may lengthen the process.

Where a customer raises additional, relevant complaints during the investigation, we will consider these as part of the stage one response, unless it would delay the response, in which case we will log the additional issues as a new complaint.

The complaint response will be sent to the customer when the answer to the complaint is known, not when the outstanding issues required to address the complaint are complete.

The response will address all points raised in the complaint and include clear reasons for any decisions. It will provide information for the complainant about how to escalate the complaint if they remain dissatisfied. In these circumstances the complainant should contact us within **20 working days** of the response explaining why

Title: Complaints Policy		Version: 2	Date: 26/02/2024
Prepared By: Amy Kirk	Approved By: PAG 26 Feb 2024	Ref. No.:4SG-P-030	Page 3 of 6

they remain dissatisfied. We understand that in some cases it may not be possible for a complainant to respond within this timeframe, and we will not refuse to escalate the complaint unless the escalation request relates to one of the exclusions explained in this policy.

## **Stage Two Investigation – 20 working days**

Complaints which are not satisfactorily resolved at stage one will, at the request of the complainant or their representative, be investigated by a Senior Manager or member of the Executive Management Team, who will undertake an impartial review of the original investigation and conduct further investigations as required.

The complaint will be escalated to stage two of the complaints process unless an exclusion ground applies. In these circumstances we will confirm in writing our decision for not escalating the complaint and the customer's right to approach the Housing Ombudsman about the decision.

We will respond to requests for complaints to be escalated to stage two with an acknowledgement, within five working days. We will then investigate and review the complaint and our response to stage one. We aim to respond with the actions we will take to resolve the complaint within **20 working days** of the complaint being escalated. In exceptional circumstances, we may not be able to respond within this timescale, but we will explain this to the customer and provide a clear time frame for the response, which will be no more than a further 10 days.

The complaint response will be sent when the answer to the complaint is known, not when the outstanding issues required to address the issue are complete.

The response will address all points raised in the complaint and include clear reasons for any decisions. It will provide information for the customer about how to refer the complaint to the Housing Ombudsman Service (or other service) if they remain dissatisfied.

## **Closing a complaint**

There are two potential outcomes at the end of a complaint process:

- Complaint upheld, where we agree that the complaint was justified
- Complaint not upheld, where we do not agree that the complaint was justified.

We will detail in the outcome letter the reasons for the outcome.

## **Remedies**

If a complaint is upheld we will acknowledge and explain the organisation's failure and apologise to the complainant. Where possible, we will take action to put the complainant in the position where they would have been if we hadn't got things wrong. This could include reconsidering or changing a decision, amending a record or changing policies, procedures or practices. We will inform the complainant of any changes we have made or actions we have taken to prevent the issue from happening again if this is appropriate.

In certain circumstances following our investigations we may make a compensatory payment. Payments will be made at our discretion (unless a statutory payment is due) following our Compensation and Redress Policy.

Title: Complaints Policy		Version: 2	Date: 26/02/2024
Prepared By: Amy Kirk	Approved By: PAG 26 Feb 2024	Ref. No.:4SG-P-030	Page 4 of 6

## **Hilldale only- External review- The Housing Ombudsman**

Customers can contact the Housing Ombudsman Service at any point during the complaints process or when they remain dissatisfied with the outcome of their complaint and have exhausted the complaints policy process. Although the Housing Ombudsman can't investigate a complaint whilst it is still going through our internal process, it may be able to help a customer reach a resolution with us.

### **Contact Details**

Housing Ombudsman Service

PO Box 152, Liverpool

L33 7WQ

Telephone: 0300 111 3000

E-mail: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

Online complaint form: <https://www.housing-ombudsman.org.uk/residents/make-a-complaint/>

## **7. Principles**

We will investigate complaints in a fair and impartial manner and we will:

- Deal with complaints on their merits
- Address any actual or perceived conflicts of interest
- Seek to obtain the information and evidence required to properly consider the complaint
- Consider all information and evidence obtained carefully and
- Keep the complaint confidential as far as possible, with information only being disclosed if necessary to properly investigate the matter.
- Put things right and learn from outcomes.

Complaints are opportunities to learn about how we can improve services. We will record every complaint including details such as the subject of the complaint, the timing of key aspects of the process and any learning points.

We will regularly review the register of complaints in order to identify recurring themes and to continuously improve how the organisation handles complaints.

We will share with customers how learning has been applied, along with other information required by the RSH in compliance with Regulatory Standards.

## **8. Legislation**

- Data Protection Act 1998
- Equality Act 2010
- Housing Act 1996

Title: Complaints Policy		Version: 2	Date: 26/02/2024
Prepared By: Amy Kirk	Approved By: PAG 26 Feb 2024	Ref. No.:4SG-P-030	Page 5 of 6

- Localism Act 2011

## **9. Internal documents**

- Customer Care Policy
- Compensation and Redress Policy
- Data Protection Policy
- Tenancy/Licence Agreement
- Unacceptable Behaviour Policy

## **10. Document Change History**

This policy will be reviewed every two years.

The policy will be reviewed earlier:

- Whenever there are any relevant changes to legislation, regulation, case law or good practice that would impact on this policy or
- To reflect any changes required through experience of operating the policy, including through learning from tenants' feedback.

Version	Date	Change	Owner
1	14/09/2023	New document	Amy Kirk
2	26/02/2024	Document revised after consultation with TVP on 11/01/23	Amy kirk

Title: Complaints Policy		Version: 2	Date: 26/02/2024
Prepared By: Amy Kirk	Approved By: PAG 26 Feb 2024	Ref. No.:4SG-P-030	Page 6 of 6