



## **POLICY: COMPLAINTS AND COMPLIMENTS**

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Copies of this Policy may be made available in alternative formats on request.

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## **POLICY: COMPLAINTS AND COMPLIMENTS**

All reference to 'we', 'our' or 'us' in this Policy should be read as meaning Sandbourne Housing Association.

### **1. Purpose and aim of the Policy.**

- 1.1 This Policy is part of our overall approach to achieving excellence and high levels of customer satisfaction by adopting a positive complaints culture in all that we do. We accept that sometimes things go wrong, and people may wish to make a complaint. We want to put things right that have gone wrong and to ensure easy access to our complaints procedure.
- 1.2 We view complaints as a positive opportunity to improve our services. We review all complaints received to see where we might need to change our policies, procedures, and practices. We will also publish a complaints performance and service improvement report annually to let all residents and stakeholders know how complaints influence any changes we make as a result.
- 1.3 The policy and our procedure aim to help resolve the dissatisfaction of people about a service they have received or expected to receive. It is based around the following principles that:
  - (a) the Policy and procedure are customer centred, fair, transparent, well publicised and easily accessible along with information and guidance leaflets being widely available.
  - (b) wherever appropriate, complaints are dealt with in the first instance by the person who provided the service. We will empower our staff to provide prompt and appropriate remedies for complaints.
  - (c) we treat complaints seriously, in an open-minded way, considering all information carefully and use them to develop service improvements.
  - (d) we give residents a fair chance to set out their complaint keep them informed of progress and, if no satisfactory solution can be found, tell them why and advise of other avenues that may be available, including referring them to the Housing Ombudsman Service.
  - (e) it is possible for someone else to complain on behalf of a complainant, with their agreement and that person will be kept informed about the progress of the complaint in accordance with the complainant's wishes.

## **2. Our approach to complaints**

- 2.1 We welcome all feedback, including complaints, from anyone who is affected by a decision or action taken by us including:
- (a) residents of our homes
  - (b) former residents
  - (c) anyone receiving a service provided by us
  - (d) applicants for housing
  - (e) neighbours of our properties\*
  - (f) contractors, consultants and suppliers\*
  - (g) applicants for employment\*
  - (h) other stakeholders\*
  - (i) anyone else who, with their permission, represents our customers.

\*Complaints that will not be considered by The Housing Ombudsman Service under the Complaint Handling Code.

- 2.2 We publish the Policy and information about the Housing Ombudsman's' Complaint Handling Code in a range of formats and summarise this in leaflet form. These will be available through our offices, website and at our developments where residents have access to communal meeting areas. The documents can be made available in alternative formats on request.

## **3. What is a complaint?**

For residents we have adopted the Housing Ombudsman definition of a complaint which is *'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 a resident or group of residents.'*

A complainant does not necessarily have to use the word 'complaint' for it to be treated as such.

A complainant does not necessarily have to use the word 'complaint' for it to be treated as such. In the event of a resident expressing dissatisfaction, we will clearly explain what we will do, and by when to resolve the situation for them and having done so we will give them the choice to make a complaint, if they wish to.

We will apply the same definition to other groups or individuals [see 2.1 (b) – (i) above] and for the purposes of this policy treat them in the same way that we treat residents.

3.1 Some things are not complaints, for example:

- (a) service requests, for example asking for something to be repaired. If an expression of dissatisfaction is made, we will continue our efforts to fulfill the request, in tandem with investigating the matter.
- (b) anonymous letters, although these may be investigated if they are a cause for concern.
- (c) reports of neighbour nuisance or disputes between neighbours. These are dealt with through our Anti-Social Behaviour Policy;
- (d) a complaint about a service where we have no responsibility, such as local authority nomination procedures;
- (e) a claim for damages that should be handled as an insurance claim.
- (f) An expression of dissatisfaction made through a survey. However, we will ensure that those we ask to complete a survey are made aware that they can make a complaint if they wish to.

3.2 Some complaints fall outside this Policy:

- (a) any matter where an appeal body or tribunal has been set up to deal with the issue;
- (b) matters which are subject to civil or criminal court proceedings;
- (c) complaints that have already been before a court or tribunal;
- (d) any complaints about a legally determined policy.
- (e) matters that have previously been considered under the complaints policy.

3.3 We will not investigate complaints about issues that date back more than 12 months, unless there are good reasons to do so.

3.4 We will treat each complaint individually and if we decide that it falls outside this Policy we will explain the reasons for the decision. The complainant has the right to refer this to the Housing Ombudsman, who if they think this decision has been made unfairly may require that we accept it. Where this is the case, we will advise the resident accordingly.

3.5 We might deal with a complaint differently if there are exceptional circumstances. It may be decided to omit stages of the complaint's procedure, for example if a complaint is considered to be vexatious, pursued unreasonably, or is about a factual matter over which we have no discretion for management reasons. The Chief Executive or a Board member, who is not personally involved in the complaint, will make the decision to deviate from the standard procedure. The reasons for doing so will be fully documented and explained to the complainant.

- 3.6 We make no distinction between formal and informal complaints. All feedback complaints will be recorded and will help us continuously to improve our services.

#### **4. Putting things right**

If we make a mistake, we will try to take some practical action to put things right. We will ask the complainant to suggest what they would like us to do. We may decide that one or more of the following should be done to put things right:

- (a) apologise;
- (b) acknowledge where things have gone wrong.
- (c) provide an explanation, assistance or reasons-
- (d) take action if there has been a delay.
- (e) change a policy or procedure;
- (f) Reconsidering or changing a decision.
- (g) Amend a record or make a correction.
- (h) pay compensation;
- (i) offer independent mediation at any stage of the complaints process.

We will ensure that the remedy we offer is appropriate to the circumstances, reflects the impact of the mistake and has regard to the guidance issued by the Housing Ombudsman. In doing so we will explain what will happen and by when, in agreement with the resident where appropriate, and ensure that the remedy is followed through to completion.

#### **5. Terms of reference**

- 5.1 The Regulator of Social Housing, which is responsible for the regulation of social housing providers, requires housing associations to maintain the good reputation of the sector, foster positive relations with stakeholders and conduct business accessibly and transparently – all of which are relevant in terms of managing and handling complaints.
- 5.2 We are a member of the Housing Ombudsman Service and will comply with the requirements of their Complaint Handling Code.

#### **6. How we will deal with your complaint**

- 6.1 We acknowledge we may not always get things right but in most instances, we hope to be able to resolve any concerns informally and as quickly as possible. Sometimes that won't be possible in which case we will treat the concern as a complaint. Complaints do not need to be put in writing, but they will be noted and a written acknowledgement setting out our understanding of your complaint will normally be sent to you-within five working days.

In terms of communication, we will make reasonable adaptations where appropriate in accordance with the Equality Act and our own Reasonable Adjustments Policy

The Head of Housing is the designated 'complaints officer' under the Housing Ombudsman's Complaint Handling Code and has oversight responsibility for complaints to ensure that responses are provided within the specified timescales and in accordance with Sandbourne's policies and procedures.

6.2 We have a two stage complaints procedure, and our service standards in accordance with the Housing Ombudsman's Complaint Handling Code are as follows:

6.2.1 **Stage 1** – We want to resolve complaints on the spot, whenever possible, but sometimes the nature of the complaint might mean that we cannot. In such cases, we will take ownership of the issue as a Stage 1 complaint and attempt to resolve the matter. We will acknowledge and log your complaint confirming the elements that we are responsible for, setting out our understanding of the issue(s) and how you would like this resolved within five days of receiving it and following our investigation will then write to you with the outcome, normally within a further ten working days.

If you raise additional related complaints during the investigation these will be incorporated into the Stage 1 response if it has not been issued. If the response has been issued or the complaints are unrelated, they will be logged as new complaints.

If more time is needed, or your complaint needs to be handled differently we will let you know the reasons for this. Any the delay (which without good reason will not extend beyond a further ten working days) will be agreed with you. We will also provide you with the contact details of the Housing Ombudsman

Complaints will usually be investigated and responded to by the member of the team responsible for delivering the service. The response will address all the elements of the complaint that are our responsibility and give clear reasons for any decisions.

If the complaint relates to the conduct or behaviour of that team member who delivers the service, the investigation and response will be undertaken and provided by a senior officer.

6.2.2 **Stage 2** – If you feel that our Stage 1 response has not resolved your complaint, you can ask for the issue to be considered by a senior manager with no prior involvement as a Stage 2 complaint. A request to escalate a complaint to Stage 2 will be acknowledged again, confirming the elements that we are responsible for, setting out our understanding of the issue(s) and how you would like this resolved within five working days of being received.

We will make reasonable efforts to understand why you are dissatisfied with our response at Stage 1.

6.2.3 They will then:

- (a) check that the Stage 1 procedure has been completed.
- (b) review, with the person who dealt with your initial approach, the reasons for their response.
- (c) consider the issues afresh for themselves and consult with Board Members where appropriate.

decide upon the findings in the light of these considerations; and write to you within twenty working days of acknowledging your complaint setting out their findings. The response will address all the elements of the complaint that are our responsibility and give clear reasons for any decisions. If more time is needed, we will let you know the reasons for the delay, which without good reason will not extend beyond a further twenty working days. In the event of such an extension being required, we will endeavor to agree this with you and ~~also~~ provide you with the contact details for the Housing Ombudsman.

This will be our final response to you under our complaint's procedure.

6.2.4 If your complaint is not upheld at Stage 2 (i.e. the outcome of the review does not find in your favour) you will be given an explanation. You will be given details of your right to complain to the Housing Ombudsman Service if you remain unhappy with the outcome or the way your complaint has been handled.

6.3 At any stage of the process, independent mediation may be offered, where appropriate. The role of the mediator is to help both parties reach a solution to their problem and to arrive at an outcome that both are happy to accept.

6.4 Following the resolution of any complaint, we will ask you for your comments on how your complaint was handled.

6.5 We will inform residents on a regular basis, in our newsletter (without identifying you), of the nature of the complaints we have received and what we have done as a result.

6.6 We will publish a complaints performance and service improvement report each year and make this, together with the response from our Board, available via our website and in hard copy form.

6.7 The Chief Executive will have overall responsibility for complaint handling.

6.8 We will also appoint a Board Member to have lead responsibility for complaints to support a positive complaint handling culture. This person will be designated as the 'Member Responsible for Complaints' (The MRC) and be responsible for

ensuring that the Board receives regular information on complaints' performance.

The MRC will not be involved in the operational management of complaints.

- 6.9 We will have a standard appraisal objective for all customer-facing staff, to encourage a collaborative approach and collective responsibility for complaints.
- 6.10 We will act within the professional standards for engaging with complaints as set out by the relevant professional bodies.

## **7. Compliments**

- 7.1 Residents or other users of our services may wish to compliment us, or they may wish to comment positively on aspects of services received.
- 7.2 All compliments will be recorded, reported to our Board and fed back to individual members of staff where appropriate.

## **8. Equality impact assessment/Protected characteristics (as at 10 April 2024 or later amendments/additions)**

- 7.1 Neutral.

## **9. Consultation arrangements**

- 9.1 We will consult all residents and recognised residents' bodies on any substantive changes to this Policy and their views will be taken into account by the Board before adopting it. Our staff will also be consulted on any substantive changes to this Policy and any reasonable suggestions will be taken into account before the Policy is approved by the Board.