



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 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 let all residents know how complaints received influenced any changes we make as a result.
- 1.3 The policy and procedure aims 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 is customer centred, fair, transparent, well publicised and easily accessible along with information and guidance leaflets being available
 - (b) wherever appropriate, complaints are dealt with in the first instance by the person who provided the service
 - (c) we treat complaints seriously and use them to develop service improvements
 - (d) we keep complainants informed and, if no satisfactory solution can be found, tell them why and advise of other avenues that may be available
 - (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.

2.2 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) provide or change a service to the customer;
- (c) provide an explanation or information to the customer;
- (d) review customer literature (leaflets, poster and so on);
- (e) review a policy or procedure;
- (f) take action or enforce a decision;
- (g) arrange training or guidance for employees;
- (h) pay compensation;
- (i) offer independent mediation at any stage of the complaints process.

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 organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents

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;
- (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.
- 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.
- 3.3 We will not investigate complaints about issues that date back more than 12 months.
- 3.4 We might deal with a complaint differently if there are exceptional circumstances. It may be decided to omit stages of the complaints 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.
- 3.5 We make no distinction between formal and informal complaints. All feedback will be recorded and will help us continuously to improve our services.

4. Terms of reference

- 4.1 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.
- 4.2 We are a member of the Housing Ombudsman Service.

5. How we will deal with your complaint

- 5.1 When you approach any of our staff with a complaint and they will do their best to sort things out straight away. If the nature of the complaint is such that it cannot be resolved immediately, we will tell you what we will do to sort it out and how long it should take to resolve. 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 normally within five working days.

The Head of Housing has oversight responsibility for complaints to ensure that responses are provided within the specified timescales and in accordance with Sandbourne's policies and procedures.

5.2 We have a three stage complaints procedure and our service standards are as follows:

5.2.1 **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 within 5 days of receiving it and will write to you with the outcome, normally within ten working days. If more time is needed, we will let you know the reasons for the delay and will keep you informed if our investigation needs to take longer or if it needs to be handled differently. This applies to all stages of our complaints process.

5.2.2 **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 as a Stage 2 complaint. 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;
- (d) decide upon the findings in the light of these considerations; and
- (e) write to you within ten working days setting out their findings.

5.2.3 **Stage 3 – If, following the outcome of Stage 2, you remain dissatisfied you can ask** for your complaint to be referred to our Complaints Panel if:

- You feel that the decision is based on inaccurate facts that could change our decision
- You have new and relevant information that was not previously available that could change our decision
- We overlooked or misunderstood parts of the complaint or did not take account of relevant information, which could impact the decision
- You believe that there is evidence that you have not been treated fairly, or in line with a policy or procedure.

5.2.4 If you feel that you would qualify for a Stage 3 Complaints Panel, you must set out your concerns to the Chief Executive within 28 days of the Stage 2 response date.

Sandbourne reserves the right to turn down a request for a Stage 3 Complaints Panel in circumstances where:

- You have not provided any new evidence to support your request
 - The points you raise have already been considered at Stage 2
 - The points you raise would not lead to a change in the outcome of the findings at Stage 2.
- 5.2.5 The Panel will consist of two Board members and when, in our opinion, possible and reasonable, an independent assessor. We will invite you, and/or your chosen representative to attend the Panel meeting at a mutually convenient date and time, though you do not have to attend if you would prefer not to.
- 5.2.6 We will ask you to let us know why you remain dissatisfied and what you feel we should do to put things right. The Panel will review the actions taken by our staff in dealing with your complaint at Stages 1 and 2 and will carefully consider your representations. The Panel will send you a detailed response, within ten working days of the meeting, which will contain sufficient information to show that your complaint has been fully investigated. This will be our final response to you under our complaints procedure.
- 5.3 If your complaint is upheld (ie the outcome of the review finds in your favour), you will receive an apology and, where appropriate, be given details of any action that we will take to remedy the situation or at least put things right for the future.
- 5.4 If your complaint is partially upheld (ie the outcome of the review finds in your favour, in part), you will receive an apology and explanation and, where appropriate, be given details of any action that we will take to remedy the situation, or at least put things right for the future.
- 5.5 If your complaint is not upheld (ie 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 (there is no local designated person or democratic filter arrangement in place) if you remain unhappy with the outcome or the way your complaint has been handled.
- 5.6 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.
- 5.7 Following the resolution of any complaint, we will ask you for your comments on how your complaint was handled.
- 5.8 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. Compliments

- 6.1 Residents or other users of our services may wish to compliment us, or they may wish to comment positively on aspects of services received.

6.2 All compliments will be recorded, reported to our Board and fed back to individual members of staff where appropriate.

7. Equality impact assessment/Protected characteristics (as at 8 January 2019 or later amendments/additions)

7.1 Neutral.

8. Consultation arrangements

8.1 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.