

## **Complaints Policy**

### **1.0 Introduction**

- 1.1 We are committed to providing excellent services that meet the standards agreed with our customers. We recognise that sometimes the service may fail, and residents may receive a less than satisfactory service. Where this occurs, we are always keen to understand, learn and identify how we can improve the way we do things.
- 1.2 Complaints are taken seriously and dealt with professionally and our response plays an important part in shaping our image as an organisation committed to customer care and to maintain or repair our relationship with the resident or complainant.
- 1.3 We should always respond positively when we have failed in service delivery. Our response can take a range of forms such as a sincere apology, a customer service gesture and in certain circumstances a compensation payment.
- 1.4 Our aims are to:
- Welcome complaints and consider them as an opportunity for improvement
  - Learn from complaints and use this information to improve what we do
  - Listen and discuss complaints with the complainant involving them at every opportunity
  - Ask and understand what a complainant wants from their complaint and respond appropriately
  - Empower staff to be confident to respond to a complaint and consistently provide a high standard of service
  - Provide a dedicated team to coordinate complaints
  - Appoint an Investigating Officer as a point of contact to investigate and manage the complaint through to completion

## 2.0 Purpose

- 2.1 The Policy sets out our approach to dealing with and learning from complaints. We aim to deal fairly, equally, honestly, consistently and impartially with all complaints. We must also identify areas where service failure or an inability to meet our published standards of service requires remedial action.
- 2.2 This policy also incorporates changes introduced by the Localism Act 2011 to the way complaints about social landlords are handled.
- 2.3 This Policy also helps to ensure that we adhere to the Housing Ombudsman's Complaint Handling Code. Details of which can be found on the Housing Ombudsman website at <https://www.housing-ombudsman.org.uk>.

## 3.0 Confidentiality

- 3.1 CCHA takes the issue of data management very seriously and will do all it can to ensure that the principles laid down by the General Data Protection Regulations 2016 and the Data Protection Act 2018 ("GDPR") are observed and well governed.
- 3.2 For the purposes of this policy and how we manage the information that we hold on individuals as part of our claim management processes, CCHA will comply with its obligations under GDPR.

## 4.0 Definitions

### 4.1 A **Complaint** is:

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

A complaint is separate from an enquiry or a request. The complainant does not have to use the word 'complaint' in order for it to be treated as such.

- 4.2 An **Enquiry** is when a resident contacts us to ask us something about their home or tenancy. For example, a resident might ask for information about their rent account or for an explanation of a policy. This is not a complaint. If we fail to provide this information, then this could become a complaint.
- 4.3 A **Request** is when a resident contacts us to ask us to do something to their home or tenancy. For example, a resident may ask for a repair to their home. This is not a complaint. If we fail to carry out that repair this may become a complaint.

- 4.4 A **complainant** is one of our residents, service users, applicants or a representative acting on their behalf. They can also be a member of the public directly affected by the services we provide or the actions of our staff or contractors whilst they are working on our behalf.
- 4.5 A **representative** is a person chosen by the complainant to assist in the presentation of their complaint including elected representatives but not a lawyer retained on the complainant's behalf.
- 4.6 **CIO** is our Customer Investment Officer.
- 4.7 **KPIs** are our set key performance indicators for managing complaints. Details can be found in the Complaints Procedures document.
- 4.8 An "**unresolved problem**" is that specified in paragraph 6.2 below.
- 4.9 **CX** is CCHA's data management system.
- 4.10 **ICO** is the Information Commissioner's Office.

## 5.0 Related Policies and Procedures

- 5.1 This policy should be read in conjunction with the Complaints Procedure and the following related documents:
- Compensation Policy
  - Right to repair scheme
  - CCHA Repairs and Planned Maintenance Service Standards
  - Data Protection Policy
  - Insurance procedures
  - Equality, Diversity and Inclusion Strategy
  - Safeguarding Policy
  - Lettings and Allocation Policy
  - Anti-social Behaviour Policy

## 6.0 Scope

- 6.1. This policy applies to any complainant making a complaint against us or our contractors.
- 6.2 When a complainant contacts us because they are dissatisfied with something we have or have not done we will consider this to be a complaint. A complaint could include one or more of the following unsolved problems:
- Dissatisfied with a delay in providing a service
  - Dissatisfied because we have failed or refused to provide a service

- Dissatisfied with the poor quality of service received or a mistake that has been made
- Dissatisfied because we have removed or withdrawn a service
- Dissatisfied with a staff member's behaviour
- Dissatisfied because the complainant has been unreasonably disadvantaged by the inappropriate application of a policy
- Dissatisfied because we have unfairly discriminated against a complainant

6.3 Where the problem is a recurring issue, older reports not previously investigated under the complaints procedure will be considered as part of the background to the complaint if this will help to resolve the issue for the complainant.

6.4 If we do not accept a complaint, we will provide a detailed explanation to the complainant setting out the reasons why the matter is not suitable for the complaints process.

6.5 If the issue is not a complaint within the definition of this policy, we will deal with it through the relevant alternative policy or procedure.

## **7.0 Exclusions**

7.1 There are some circumstances that may fall outside the scope of this policy, examples of which are listed below.

7.2 Where legal proceedings or an external appeals process is being pursued e.g. a First Tier Tribunal, a court of law or a NHBC claim, the complaint will be closed, and the external process will be followed rather than this procedure. The decision of the external process will be final and a complaint on the same issue cannot be reopened or lodged for the first time.

7.3 Complaints by staff should be raised with the appropriate line manager or by use of the grievance procedure where necessary. In addition, complaints concerning our recruitment procedure should be raised directly with Human Resources.

7.4 Reports of ASB fall outside the scope of our Complaints Policy, however we will address complaints where we have failed to follow our policies or procedures.

7.5 Matters that have already been considered under the complaints policy.

7.6 Complaints must be logged within 6 months of the event which is being complained about, although complaints which concern safeguarding or health and safety issues may still be investigated.

7.7 Once a complaint is closed it cannot be opened again unless a new instance occurs.

## **8.0. Persistent or Unreasonable Complaints**

8.1 If a complainant has made unreasonable complaints in the past, we will not assume that the next complaint is unreasonable. The merits of each case will be considered rather than the attitude of the complainant.

8.2 If a complaint is deemed as persistent, unreasonable, vexatious or frivolous, the complaint may be refused. In such circumstances we will inform the complainant of what alternative methods will be used to manage communications with the complainant.

## **9.0 Fair and Equal Treatment**

9.1 We will make sure everyone is treated fairly and without discrimination, regardless of their race, gender, sexual orientation, disability, religion or belief, gender re-assignment, pregnancy and maternity, marriage and civil partnership and age. We will promote inclusion, challenge discrimination and seek to make reasonable adjustments to ensure that everyone can access our services and that no one is excluded inappropriately from any services or activities provided by us.

9.2 An Equality Impact Assessment has been undertaken and has indicated that this policy would not discriminate against any specific groups.

## **10.0 Staff Conduct**

10.1 The highest standard of behaviour from our staff is expected. Further guidance is provided in our Complaints Procedures document.

10.2 If a resident feels the behaviour of a member of staff is unacceptable the formal complaints process will be followed.

## **11.0. Making a Complaint**

11.1 A complainant can make a complaint by any method – verbally or in writing. A complaints form is available in paper form or on our website if preferred.

11.2 A detailed procedure on how to process a complaint is contained in the Complaints Procedure document including the timeframes for responses and use and application of CX.

## **12.0 Complaint Stages**

### **Informal Complaint**

- 12.1 Where a complainant may be dissatisfied with our service but not at a level where they wish to take the matter forward as a formal complaint and the matter is capable of resolution at an operational level, we will treat the complaint as informal.
- 12.2 Where the failure relates to one of our contractors, we will initially refer the issue to them to quickly resolve. If the resident is not satisfied with the outcome, we will then raise a formal complaint.
- 12.3 Any failure of service is monitored centrally and improvements identified.
- 12.4 If the complaint is about a member of staff working for our contractors', complaints will be referred to the relevant Line Manager and recorded as an Informal complaint.

### **Formal Complaint**

- 12.5 **Stage 1** complaints will be logged and acknowledged in writing within 2 working days of receipt. They will then be passed to an appropriate manager, or by delegation to a senior officer, for investigation. A written response detailing the outcome of the complaint will be sent within 10 working days from the receipt of the complaint. If the complainant is satisfied the complaint will be closed. If they are dissatisfied the complaint can be escalated to Stage 2.
- 12.6 **Stage 2** complaints will be logged and acknowledged in writing within 2 working days of the request to escalate. A Director will be appointed to investigate. A written response will be sent within 20 working days from receipt of the request to escalate detailing the outcome of the investigation.
- 12.7 Complainants will be contacted to discuss the complaint by the Investigating Officer. Where additional time is needed to complete the investigation, complainants will be informed of the reasons for this.
- 12.8 If the complaint relates to a member of staff the appropriate Line Manager will be appointed as the Investigating Officer at Stage 1.

### **External Complaints**

- 12.9 On the occasions when we are unable to conclude our complaints process to the satisfaction of the complainant, they will be advised of their right to approach a designated person such as an MP, Councillor or Designated Tenant Panel.

### **Designated Panel**

- 12.10 Within eight weeks of the Stage 2 response completion date The Localism Act provides for the complainant to refer their case to a Designated Person defined in the Act as:

- Member of the House of Commons
- Member of the Local Housing Authority
- Designated Tenant Panel

We have a Service Level Agreement with Croydon Housing Complaints Panel (CHCP) to refer complainants to the panel if requested.

### **MP Enquiry**

12.11 We do not correspond with the complainant directly but provide information to the MP to respond.

### **The Ombudsman**

#### **Housing Ombudsman Service**

12.12 Following a Stage 2 complaint, after the eight-week period has lapsed the complainant can refer their case directly to the Housing Ombudsman.

12.13 The Localism Act 2011 introduced a single complaints ombudsman for both local government and housing associations to ensure greater consistency in the housing sector.

12.14 On receipt of a complaint either passed on from a designated person or received direct from the complainant, the Housing Ombudsman will investigate the complaint and inform the complainant, designated person (if involved) and landlord of:

- The results of the investigation
- Details of any determination made against the landlord

12.15 For general advice, complaints and escalations, residents are able to contact the Housing Ombudsman Service in the following ways:

**Telephone:** 0300 111 3000

**Email:** [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

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

**Complaints correspondence in writing:** Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ

**Other correspondence in writing:** Housing Ombudsman, Exchange Tower, Harbour Exchange Square, London, E14 9GE

#### **Financial Ombudsman Service**

12.16 For complaints relating to financial matters residents can access the Financial Ombudsman Service in the following ways:

**Telephone:** 0800 023 4567

**Email:** [complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)

**Complaints correspondence in writing:** The Financial Ombudsman Service, Exchange Tower, London E14 9SR

### **The Information Commissioner's Office (ICO)**

12.17 If a resident has cause to complain about ccha's management of their personal data and how it has been processed they can complain to the ICO. Complaints can be made via:

**Website:** [www.ico.org.uk](http://www.ico.org.uk)

**Telephone:** 0303 123 1113.

### **13.0 Monitoring Delivery**

13.1 From 1<sup>st</sup> April 2020 all complaints will be logged, tracked and managed via our new data system CX. Responses and progress will be monitored against set KPIs and timescales.

13.2 An annual performance target is set, and this is monitored monthly; quarterly and annually.

13.3 A quarterly complaints report is produced by the Customer Investment Officer and shared with all staff to:

- Monitor whether the service standards set out in this policy have been met
- Discuss any lessons to be learnt
- Discuss any required amendments to procedures
- Report on complainant satisfaction with outcome and handling
- Report on timescale performance

13.4 An annual review of performance against target is undertaken by the CIO and reported to Leadership. An overview of complaints is also provided to Board on an annual basis.

13.5 Ongoing monitoring is conducted by the Customer Investment Officer to:

- Assess quality of response to complaints
- Decide on any necessary communication to staff and residents
- Communicate with each service area any complaints or suggested changes resulting from complaints

### **14.0. Complaints Training**

14.1 There is a dedicated Customer Investment Team primarily responsible for coordinating and monitoring complaints. Members of this team will regularly

attend selective external training courses offering advice and guidance in delivering best practice in complaint handling.

- 14.2 In addition, the Housing Ombudsman offers a free online dispute resolution e-learning for Landlords and this service will form part of ccha's standard training programme for the Customer Investment Team. The e-learning will be refreshed annually.

<http://www.housing-ombudsman.org.uk/learning-faqs/dispute-resolution-e-learning/landlord-e-learning/>

- 14.3 The Customer Investment Team will deliver internal training on the effective handling of complaints with all staff. The training will be based on the content of our Complaints Policy and Procedure documents. This will include the necessary training to deal with complaints promptly, politely and fairly.

## 15.0 Compliments

- 15.1 We may also receive contact from a party who wishes to make a compliment about a member of staff or the organisation on a particularly good service.
- 15.2 A compliment can be received verbally or by email or in writing. This could take the form of a thank you card or similar.
- 15.3 Compliments will be recorded electronically in the same way as complaints and passed onto the individuals involved in the service.
- 15.4 Compliments form part of our system of feedback about what matters and helps us to identify what is working effectively.
- 15.5 We record the number of compliments received annually and monitor our performance.

<b>Version History</b>	
<b>Policy Name</b>	Complaints Policy
<b>Version Code</b>	2.3
<b>Lead Officer</b>	Director of Operations
<b>Equality Impact Assessment</b>	March 2020
<b>Resident Consultation</b>	February 2020
<b>Colleague Consultation</b>	February 2020
<b>Date of Issue</b>	March 2021

<b>Review Date</b>	March 2023
<b>Policies and Procedures Replaced</b>	Complaints Policy 2020 V2.2
<b>Amendments Made</b>	<p>Nov'20 –</p> <ul style="list-style-type: none"> <li>• Definition of complaint amended to bring in line with Ombudsman as stated in the Complaint Handling Code.</li> <li>• Under Fair and Equal Treatment expanded to say we will make reasonable adjustments to ensure everyone has access to our services.</li> <li>• Complaint response times have been added into the policy.</li> <li>• Contact details for Ombudsman have been added along with ability to contact at any point for advice.</li> <li>• Corrected a couple of typos/format issues.</li> </ul> <p>Dec'20 –</p> <ul style="list-style-type: none"> <li>• Contact details for Ombudsman updated.</li> </ul> <p>March 21 –</p> <ul style="list-style-type: none"> <li>• Exclusions section added.</li> <li>• Definition shortened.</li> <li>• Scope expanded.</li> <li>• Reference to Ombudsman Complaint Code added in.</li> <li>• Brief description of process and timescales added in.</li> <li>• Financial Ombudsman information added back in.</li> <li>• Additional information added to monitoring section.</li> </ul>