

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 and look to resolve the issue. Our response can take a range of forms such as an 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 and to put things right where they have gone wrong.
 - 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 including outcome 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, equitably, honestly, consistently and impartially with all complaints.
- 2.2 In line with the Social Housing (Regulation) Act 2023, this Policy also helps to ensure that we adhere to the Housing Ombudsman's statutory 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 complaint 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 distinct from an enquiry or a service request. Importantly, a resident does not need to use the word “*complaint*” for their concern to be treated as one. Any expression of dissatisfaction, whether verbal or written, should be recognised and the resident given the opportunity to raise a formal complaint.

- 4.2 A **Service request** is a request from a resident requiring us to take action to put something right. For example, a resident may ask for a repair to their home or wish to report an incident of anti-social behaviour. These are not a complaint and will be dealt with through the relevant policy or procedure. Service requests must be recorded, monitored and reviewed regularly. A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. All efforts to resolve the service request must not stop if the resident complains.
- 4.3 An expression of dissatisfaction with services made through a survey is not defined as a complaint, though where possible the resident should be made aware of how to pursue a complaint if they wish.
- 4.4 A **complainant** is one of our residents or a representative acting on their behalf.
- 4.5 A **representative** is a person chosen by the complainant to assist them with their complaint including elected representatives but not a lawyer retained on the complainant’s behalf. Details of who the representative is, alongside full permission must be given by the complainant to ensure that we are GDPR compliant and able to share the full outcomes of the complaint investigation.

A complaint submitted via a third party or representative will be handled in line with our complaints policy.

- 4.6 A complaint can also be made by a group of residents who has a lead representative. The complaint as a group should be considered, what went wrong, how it affected the group and respond to the group representative. Individual adverse circumstances from the group should also be considered and a tailored response addressing the individual issues where appropriate provided.
- 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.

5.0 Related Policies and Procedures

- 5.1 This policy should be read in conjunction with the Complaints Procedures and the following related documents:
- Compensation Policy
 - Right to repair scheme
 - Repairs and Planned Maintenance Service Standards
 - Group Data Protection Policy
 - Insurance procedures
 - Equality, Diversity and Inclusion Strategy
 - Unacceptable User Policy
 - Reasonable Adjustments Policy
 - Customer Service Standards
 - 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 We will accept complaints made within 12 months of the issue occurring, or within 12 months of the complainant becoming aware of the issue. Complaints outside of this time limit will only be considered if there are exceptional circumstances.

6.4 Where additional complaints are raised during the investigation, these will be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues will be logged as a new complaint.

6.5 Where the complainant has a legal entitlement to redress, ccha will offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.

6.6 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, for example:

7.1.1 The issue giving rise to the complaint occurred over 12 months ago, or 12 months have passed since the complainant became aware of the matter.

7.1.2 Where legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim have been filed at court.

Guidance on the Housing Ombudsman pre-action protocol is provided in the staff complaints procedures.

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.

7.1.3 Matters that have previously been considered under the complaints policy.

7.2 Where we do not accept a complaint, we will provide an explanation to the complainant in writing setting out the reasons why the matter is not suitable for

the complaints process and explaining their right to refer this decision to the Ombudsman.

- 7.3 The application of any relevant exclusions will be considered at each stage of the process. Where the outcome being challenged relates to a Stage 1 decision then the correct course of action is to escalate and re-consider this again during the Stage 2 investigation.

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.
- 8.3 Any restrictions placed on a complainant's contact due to unacceptable behaviour will be appropriate to their needs and demonstrate regard for the provisions of the Equality Act 2010.

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 We will comply with our duties under the Equality Act 2010 and consider the needs and reasonable adjustments of residents who may need to access the complaints process.
- 9.3 We will keep a record of any reasonable adjustments agreed as well as any disabilities a resident discloses. Any agreed reasonable adjustments will be kept under active review. A Reasonable Adjustments Policy is in place and complaint handlers receive training to deal with such requests.
- 9.4 If someone is dissatisfied with the arrangements for providing reasonable adjustments, ccha will respond in accordance with our complaints policy and may seek external advice where appropriate.
- 9.5 An Equality Impact Assessment has been undertaken and has indicated that this policy would not discriminate against any specific groups.

10.0. Making a Complaint

- 10.1 A complainant can make a complaint by any method e.g. verbally in person, over the telephone or in a meeting, or in writing by letter or email. A complaints form is also available in paper form or on our website if preferred.
- 10.2 The complaints team are responsible for complaints handling and will ensure that all complaints received are logged in Cx, acknowledged and assigned to the appropriate investigating officer.
- 10.3 We want to make it easy for residents to raise concerns. A leaflet titled "*How to Make a Complaint*" is available and provides a brief overview of the process. For more comprehensive guidance, the full **Complaints Policy** is available on our website along with the Complaints Procedure for Residents.
- 10.4 We are committed to ensuring our complaints process is accessible. Staff must offer the complaints information in alternative formats where required, in line with reasonable adjustments. These formats include:
- Large print
 - Braille
 - Translations into other languages
 - Other formats as needed to meet individual accessibility requirements

The Communications Team can arrange the appropriate format of documents and can be contacted by telephone 0208 680 7532 or email citeam@chha.biz.

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

11.0 Complaint Stages

Formal Complaint

- 11.1 **Stage 1** complaints will be logged, defined and acknowledged in writing within 5 working days of receipt.
- 11.2 The acknowledgement will detail our understanding of the complaint and the outcomes the complainant is seeking. Where any aspect of the complaint is unclear, we will seek to clarify this with the complainant. We will confirm what aspects of the complaint we are and are not responsible for and clarify any areas where this is not clear.
- 11.3 The complaint will then be passed to an appropriate manager, or by delegation to a Senior Officer, or the Complaints Officer for investigation. The investigating officer should contact the complainant to better understand the issues raised and the desired resolution and where appropriate to update them on their investigation.

- 11.4 If the complaint relates to a member of staff the appropriate line manager will be appointed as the Investigating Officer at Stage 1.
- 11.5 A written response detailing the outcome of the complaint will be sent within 10 working days from the acknowledgement of the complaint.
- 11.6 Where a complaint is made via a third-party representative, the complaint will be acknowledged within 5 working days of receiving authority from the resident for the representative to act on their behalf. If the resident made the initial complaint, the response will be sent to the resident within 10 working days, and a copy of the response will be sent to the representative once permission is received from the resident to share the information.
- 11.7 If an extension to the timescale is needed, this must be no more than 10 working days without good reason, and the reasons must be clearly explained to the complainant. They must also be provided with the Housing Ombudsman's contact details to enable them to challenge our plan for responding and/or the proposed timeliness of our response.
- 11.8 A complaint response must be provided to the complainant when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. It should address all points raised, provide clear reasons for any decisions, and any outstanding actions must be tracked and actioned promptly with appropriate updates provided to the complainant.
- 11.9 The complainant has 20 working days to consider our response and if all or part of the complaint has not been resolved to their satisfaction, they can request an escalation to Stage 2. The complainant is not required to justify their reasons for this.
- 11.10 **Stage 2** complaints will be logged, defined and acknowledged in writing within 5 working days of the request to escalate. The appointed investigating officer will be someone that was not involved in the complaint at stage 1.
- 11.11 The acknowledgement will detail our understanding of the complaint and the outcomes the complainant is seeking. Where any aspect of the complaint is unclear, we will seek to clarify this with the complainant. We will confirm what aspects of the complaint we are and are not responsible for and clarify any areas where this is not clear.
- 11.12 A Director will be appointed as the investigating officer to investigate the complaint. As part of the investigation the complainant should be contacted to better understand the issues raised and the desired resolution.
- 11.13 A written final response must be sent within 20 working days of the complaint being acknowledged.

- 11.14 If an extension to the timescale is needed, this must be no more than 20 working days without good reason, and the reasons must be clearly explained to the complainant. They must also be provided with the Housing Ombudsman's contact details to enable them to challenge our plan for responding and/or the proposed timeliness of our response.
- 11.15 The response must be provided to the complainant when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. It should address all points raised, provide clear reasons for any decisions and any outstanding actions must be tracked and actioned promptly with appropriate updates provided to the resident.
- 11.16 The stage 2 response completes our complaints process, and the complainant will be informed of what to do if they remain dissatisfied and how to escalate the matter to the Ombudsman.
- 11.17 **Managing Extended Complaint Timescales** - If a Stage 1 or Stage 2 complaint response is expected to exceed the extended timescales set out in the Complaint Handling Code, staff must proactively engage with the resident to agree on suitable intervals for providing updates on the complaint.

External Complaints

- 11.18 Where we are unable to conclude our complaints process to the satisfaction of the complainant, they will be advised of their right to escalate their complaint to the Housing Ombudsman.

The Ombudsman

Housing Ombudsman Service

- 11.19 Following a Stage 2 complaint, the complainant can refer their case directly to the Housing Ombudsman.
- 11.20 On receipt of a complaint the Housing Ombudsman will investigate the complaint and inform the complainant and ccha of:
- The results of the investigation
 - Details of any determination made against us
- 11.21 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

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

Complaints correspondence in writing: Housing Ombudsman Service, PO Box 1484, Unit D, Preston PR2 0ET

Financial Ombudsman Service

11.22 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

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

Designated Person

11.23 With effect from 1 October 2022 the requirement for the resident to refer to a designated person or wait eight weeks before the Ombudsman considers their complaint was removed. Residents can now access the Ombudsman service directly if they are unhappy with the landlord's handling of their complaint at any stage.

MP Enquiries

11.24 Most initial contact from an MP or Councillor will initially be handled as a Member Enquiry and/or service request. Where Members or residents express dissatisfaction with our approach to the issue or the outcome, we will offer the opportunity to make a formal complaint. The complaints process will then be followed.

11.25 Where residents have made repeated contact about the same issue and we then receive a Member Enquiry, we will contact the resident to ask if they would like the matter investigated as a complaint. We will then contact the MP to explain the action we are taking and why.

12.0 Monitoring and Learning

12.1 ccha operates a positive complaints handling culture seeking to learn and improve on our processes and service delivery. Meetings are held quarterly to discuss the learning from the previous quarter.

12.2 All complaints will be logged, tracked and managed via our data management system Cx. Responses and progress will be monitored against set KPIs and timescales.

12.3 Standard key performance reporting, including themes and learning, is in place and issued either quarterly, biannually and/or annually to residents, staff, the Leadership Team and the Board. This is communicated in a number of formats including:

- The Annual Report
- The Housing Ombudsman Complaint Handling Self-assessment.
- Connections magazine
- Website quarterly performance reporting

- Periodic reports and summaries to staff, the Leadership Team, the Remuneration and Nomination Committee and the Board
 - Complaints annual performance report by the Customer Investment Team
 - Quarterly complaints forum to review learning.
- 12.4 The quarterly forum is held with representatives from all relevant departments involved in the process. Details of the structure and operation can be found in the complaints procedures.
- 12.5 The Chair of the Remuneration and Nomination Committee, known as the Member Responsible for Complaints (the MRC), has lead responsibility for complaints to support a positive complaints culture and ensuring the board receive regular information on complaint handling performance and learning.
- 12.6 The Director of Customers is the senior lead for complaints handling and responsible for ensuring the Leadership Team regularly assess themes and complaint trends to identify risks and areas for improvement and for regular reporting to the Board.
- 12.7 The 'complaints officer', for the purpose of the Complaints Handling Code is the Senior Customer Investment officer who manages the complaints team and is responsible for liaising with the Housing Ombudsman where applicable and ensuring that complaints are reported to the Director.
- 12.8 In line with the Housing Ombudsman Complaint Handling Code, an annual performance and service improvement report will be completed including a self-assessment against the code. This will be reported to the Board and published on the website included the Board's response to the report.

13.0 Complaints Management and Training

- 13.1 Staff are expected to manage and respond to complaints using a collaborative and co-operative approach towards resolving them, working with colleagues across teams and departments. They should take a collective responsibility for any shortfalls identified through complaints rather than blaming others and act within the Professional Standards for engaging with complaints as set by any relevant professional body.
- 13.2 All staff will receive regular complaints training and those directly involved in complaints handling will regularly attend selective sessions offering advice and guidance in delivering best practice in complaint handling.
- 13.3 The Housing Ombudsman offers a free online dispute resolution e-learning for Landlords which can be accessed at all times.

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

14.0 Compliments

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

15.0 Publicising complaints

- 15.1 We publicise details of the Complaints Policy through the website and social media and a copy of our 'How to make a complaint' leaflet is given to all new residents. This includes information about the Ombudsman and Code. Information about complaints is also published in our newsletter and annual report.
- 15.2 Our Self-assessment against the Code and the Annual Complaint Performance and Service Improvement Report, including the Board response to this, will also be made available on our website in line with the Social Housing (Regulation) Act 2023.

Version History	
Policy Name	Complaints Policy
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Lead Officer	Director of Customers
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Colleague Consultation	February 2020
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