



People & Communities Matter

Complaints Policy and Procedure

This policy relates to clients of Croft Housing Association (CHA) services. A client is someone who has been referred and accepted into a service and/or allocated a caseworker. Where someone has a complaint, but is not a service user i.e. referred but doesn't meet service criteria, a note will nevertheless be placed on the log for analysis purposes, and the person will be informed.

1. Definition

A complaint 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.

2. Policy Statement

CHA is committed to providing a quality service for its clients and working in an open and accountable way to build the trust and respect of all our stakeholders. One of the ways in which we can continue to improve our service is by listening and responding to the views of our clients and stakeholders, by responding positively and proportionately to complaints, by putting mistakes right and learning from them.

3. The aims of our policy

We aim to ensure that:

- A culture exists so that expressing dissatisfaction constructively is something service users feel confident about, and are positively encouraged to do, such that formal complaints are rarely felt necessary.
- Making a complaint is as easy as possible, and policies and procedures are well publicised throughout the organisation.
- Complainants are reassured that making a complaint will not harm their future relations with us.

- All complaints are treated seriously, as a clear expression of dissatisfaction with our service.
- Any complaint that indicates there may be conduct or performance issues should be escalated to Stage 1
- We deal with complaints politely and within agreed timescales laid down in the procedure.
- Where complaints are escalated to the formal stages, we will investigate and respond with a written explanation of the outcome.
- We learn from complaints and use them to improve our service,
- We review our complaints policy bi-annually.

4. Responsibility

It is the responsibility of all staff to support clients in making a complaint, and to attempt to resolve complaints at the earliest possible stage, preferably before recourse to formal complaints procedures becomes necessary. Dependant on the stage of the complaint it is the responsibility of the relevant worker, director, or the Chief Executive to respond either verbally or in writing.

5. Monitoring

Complaints escalated to the formal stage will be monitored to ensure our publicised timescales for response are adhered to. We will identify repeated areas of concern and common themes that require actions to be taken, producing an annual report that will be presented to the Board.

6. The role of the regulatory bodies

If you wish to make a complaint outside Horton Housing Association's internal Complaints Policy & Procedure or if you have exhausted it and are still not satisfied, you can complain to a relevant outside body (see below for contact details of relevant outside bodies). If you are not sure which outside body to complain to please ask, or get an advocate to ask, any member of staff or contact Head Office

The Complaints Procedure:

1. Introduction:

CHA staff should refer to this procedure where any service user or agency contacts them with a complaint about CHA or its services.

Residents can make a complaint in the following ways:

- **In Writing:** Send a letter to: Croft Housing Association, 15-17 Prescott Rd, L7 0LA
- **Email:** Send an email to: admin@crofthousing.org.uk
- **Phone:** Call us at 01512604201
- **In Person:** Visit our office at the address listed above.

CHA will make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.

2. Escalation:

There are 4 stages to CHA's complaints procedure:

Informal stage	The member of staff who provided the service should seek to explore the reasons for the complaint and find an informal resolution. They must keep notes which clearly outline the reasons for the dissatisfaction and the steps taken to resolve this on the case file. They should seek management support and advice as appropriate. If the complainant is not satisfied with the proposed resolution the Complaints Policy must be shared with the client to outline the available formal stages.
Stage 1:	If the complainant is not satisfied with the resolution suggested at the informal stage, the person taking the complaint must make a clear record and email this to the PA to the Chief Executive. The PA will contact the complainant to acknowledge receipt of the complaint and include a copy of the Complaints Policy The PA will log the complaint on CHA's central log and allocate it to a suitable manager to investigate. In most cases this will <u>NOT be the line manager of the person about whom the complaint centres, but a manager from a different service.</u> Where the complaint is about the service, it will be sent to the service manager.

	Where the complaint is about the CEO, it will be sent to the board of trustees. The person to whom the complaint is allocated must investigate the complaint as appropriate and respond to the complainant in the timescales outlined below. They must send a copy of the outcome letter to the PA. CHA will confirm the following in writing to the resident at the completion of stage 1 in clear, plain language: a. the complaint stage; b. the complaint definition; c. the decision on the complaint; d. the reasons for any decisions made; e. the details of any remedy offered to put things right; f. details of any outstanding actions; and g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.
Stage 2:	If the complainant is not satisfied with the outcome of the stage 1 complaint they may escalate it to stage 2 of the process by contacting the PA within 10 working days of receiving the response. After receiving a stage 2 complaint the PA will log this on the central log. They will allocate the complaint and send all relevant paperwork to a more senior manager in the organisation. The person considering the complaint at stage 2 must not be the same person at considered the complaint at stage 1. CHA will decide whether an extension to the timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident. CHA will inform a resident about an extension to the timescales and will provide them with the contact details of the Ombudsman. The person to whom the complaint is allocated must investigate the complaint as appropriate and respond in the timescales outlined below. They must send a copy of the outcome letter to the PA.

	CHA will confirm the following in writing to the resident at the completion of stage 2 in clear, plain language: a. the complaint stage; b. the complaint definition; c. the decision on the complaint; d. the reasons for any decisions made; e. the details of any remedy offered to put things right; f. details of any outstanding actions; and g. details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.
Stage 3:	If the complainant remains dissatisfied by the outcome of the complaint, they may contact the relevant commissioning body for the service in question or escalate their complaint to the Housing Ombudsman. • Contact Information: • Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ. • Phone: 0300 111 3000. • Email: info@housing-ombudsman.org.uk.

3. Putting things right

Where something has gone wrong CHA will acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include:

- Apologising
- Acknowledging where things have gone wrong
- Providing an explanation, assistance, or reasons
- Acting if there has been delay; Reconsidering or changing a decision
- Amending a record or adding a correction or addendum
- Providing a financial remedy
- Changing policies, procedures, or practices.

Any remedy offered must reflect the impact on the resident as a result of any fault identified.

The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion

CHA will take account of the guidance issued by the Ombudsman (<https://www.housing-ombudsman.org.uk/landlords-info/complaint-handling-code/>) when deciding on appropriate remedies.

4. Vexatious complainants

CHA reserves the right not to investigate vexatious complaints.

Vexatious complaints include persistent, abusive complaints or where the complainant is acting in a manner that is deemed unacceptable or unreasonable.

These behaviours by the complainant may occur at any time before, during and after a complaint has been investigated.

Vexatious complaints will nevertheless be logged on the complaints log, with brief details reported to the Board for Governance purposes.

It is noted that making a complaint itself does not constitute unreasonable behaviour. Examples of vexatious behaviours during a complaints process include (not exhaustive):

- Not specifying the grounds of the complaint
- Refusing to accept that certain issues are not within the scope of the organisation or the complaints procedure.
- Changing the basis of the complaint during the investigation process.
- Making unjustified complaints about the complaint's investigation or introducing trivial information through new complaints at a later stage.
- Submitting falsified information.
- Adopting a scatter-gun approach to change an agreed and investigated outcome.
- Making excessive demands on time and resources.
- Refusing to accept the decision, repeatedly arguing points with no new information.

5. Investigating the complaint:

The investigation should be thorough but proportionate to the complaint. This may include meeting with the complainant, clarifying what resolution might look like to the complainant, reviewing case files, relevant policies and procedures and interviewing witnesses as appropriate. The purpose of these investigations is to gain all the relevant facts so that a fair and informed decision can be made about the best resolution and next steps. An investigating manager will be appointed in all cases, and they will be responsible for completing the investigation and writing to the complainant with their findings.

6. Outcomes:

There can be 3 outcomes to a complaint:

1. **Upheld:** The investigating manager feels that there were legitimate grounds for all aspects of the complaint.

2. **Partially Upheld:** The investigating manager feels that there were legitimate grounds for some aspects of the complaint.
3. **Not Upheld:** The investigating manager feels that there were no legitimate grounds for the complaint.

Wherever a complaint is Upheld or Partially Upheld the investigating manager must consider what can be done to prevent a similar complaint from reoccurring. In certain situations, they will also need to consider whether further action is required in respect of CHA's disciplinary or capability policy.

7. Time frame for responses:

- a) **Acknowledgement:** The complaint must be acknowledged in writing by the investigating manager within 2 days of the complaint being allocated by the PA and a date agreed for an interview with the complainant where appropriate.
- b) **Decision:** The investigation must be completed, and a decision made in line with the below timescales. The investigating manager should forward the outcome letter and all other paperwork to the PA at this time.

There may be occasions where the relationship between CHA and unreasonably persistent or vexatious complainants breaks down completely. This may even be the case while complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances, there may be little purpose in following all the stages of the complaints procedure. Where this occurs CHA will advise the complainant in writing.

8. Timeframe for complaints:

Complainants have up to 12 months from an "incident" occurring to make a complaint to CHA.

This policy is not exhaustive and does not cover all forms of vexatious behaviour that may be considered unreasonable. In certain circumstances, it may be more appropriate to refer to a senior manager to consider appropriate and proportionate measures.

9. Complaints Performance and Service Improvement Report

CHA will produce an annual complaints performance and service improvement report for scrutiny and challenge, which will include:

- a. the annual self-assessment against the Ombudsman Complaint Handling Code to ensure CHA's complaint handling policy remains in line with its requirements.
- b. a qualitative and quantitative analysis of the CHA's complaint handling performance. This must also include a summary of the types of complaints CHA has refused to accept.
- c. any findings of non-compliance with this Code by the Ombudsman.
- d. the service improvements made as a result of the learning from complaints.
- e. any annual report about the landlord's performance from the Ombudsman; and
- f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.

10. Governance

The complaint log will be owned by the CEO and administered by her PA.

Lessons learnt will be formally cascaded through the Quality Champions meetings as a standing agenda item.

A Complaints Report which analyses the nature of complaints and may make organisation-wide recommendations, will be produced annually for the Board to review.

The annual complaints performance and service improvement report will be reported to the landlord's governing body (or equivalent) and published on the on the section of CHA's website relating to complaints. The governing body's response to the report will be published alongside this.

Appendix 1: Summary of Timelines

Stage/Action	Responsibility	Timescale
Informal	Client's worker.	As quickly as practical.
Stage 1: acknowledge receipt of complaint	PA to CEO	2 working days.
Stage 1: interview with complainant to discuss the complaint	PA to CEO to allocate to appropriate investigator	2 working days. At this point the investigating manager will agree a reasonable timescale in which a thorough and proportionate investigation can be completed.
Stage 1: written response to the complaint	Investigating Manager	As soon as practicable and within agreed timescales.
Stage 1: escalate to Stage 2 for review.	Complainant	Within 10 working days of receiving the stage 1 complaint.
Stage 2: acknowledgment of the Stage 2 escalation.	PA to CEO	2 working days.
Stage 2: written response to complaint	Investigating Manager	As soon as practicable and within agreed timescales.