

Complaints Policy

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1. Introduction
2. What is a complaint?
3. Making a complaint
4. Service dissatisfaction
5. Stage 1 complaint
6. Escalating your complaint
7. Stage 2 complaint
8. What happens if you are still unhappy?
9. Complaints from a group of residents or a petition
10. Continuous learning and improvement
11. Equality and diversity
12. Related Documents

1. Introduction

- 1.1 Arhag Housing Association aims to provide a good quality service to all our residents. When we fail to meet these standards and commitments, we will;
 - apologise,
 - take action to put this right as quickly as possible,
 - use your feedback to change and improve the way we deliver our services.
- 1.2 The purpose of this policy is to ensure that there is a consistent and fair approach to responding to resident complaints which aims to resolve the issue at the earliest opportunity.
- 1.3 This policy has been developed in accordance with the Housing Ombudsman's Complaint Handling Code, our statutory and legal duties, and customer feedback.
- 1.4 Any reference to 'we', 'our', 'us' or 'the Association' refers to Arhag Housing Association Ltd. When we use 'you' and 'your' we mean any resident or customer set out above.

2. What is a complaint?

- 2.1 We have adopted the Housing Ombudsman's definition of a complaint as "an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by Arhag, our own staff, or those acting on our behalf, affecting an individual resident or a group of resident".

A resident does not have to use the word "complaint" in order for it to be treated as such. However, on occasion, either our employees and our residents may not be sure of the position:

- If, an Arhag employee is unclear whether a resident wishes to complain, they should ask them to clarify.
 - If, a resident, wishes to make a complaint and they are unsure whether their expression of dissatisfaction is being registered and treated as a formal complaint, they should clarify that this is what they wish to happen
- 2.2 If a resident tells us they want to complain, we will always record it as a complaint. However, we recognise the difference between a service request, service failure, feedback and a complaint.
 - A "request for service" is the resident asking us to do something, for the first time (e.g. "My taps are broken – please fix it").
 - A "service failure" is when we do not deliver the service we have committed to e.g. "we told you we would repair your leaking taps on a given date, but we did not attend the property". If the resident complains about it, it is treated as a complaint.

- 2.3 If a resident expresses dissatisfaction with our service, we will try to put things right at the earliest possible opportunity, therefore we may be able to resolve the issue for our resident quickly without it becoming a formal complaint. We will record all expressions of dissatisfaction to help improve our services. If a resident remains dissatisfied or makes it clear they wish to complain, then the matter will be logged as a stage one complaint.
- 2.4 There are some issues which we will not deal with as a complaint because there is an alternative process. These include;
- Issues where legal proceedings have been issued. The issuing of proceedings involves filing details of the claim, such as the Claim Form and Particulars of Claim, at court where legal proceedings have been issued.
 - Service charge enquiries. If you are contacting us about an increase or the amount that you are being charged for services, your case will be dealt with as an enquiry and responded to by an appropriate person within the Association. A complaint about the standard or lack of service is dealt with as a complaint.
 - Personal injury or third-party liability claims. These claims will be dealt with by our insurers.
 - Behaviour of our residents. We have a separate policy for how we manage complaints of Anti-Social Behaviour.

This list is not exhaustive.

- 2.5 Other issues that may not be dealt with as a complaint include;
- Matters that have already been considered under the complaints policy, and a response provided.
 - Decisions which have been made in accordance with our statutory obligations, or in line with legislation or regulation, for example Succession or the Right to Rent. Issues relating to how we handled the matter will be dealt with as a complaint.
 - If the complainant is subject to specific contact restrictions, including restricted access to our Complaints Policy, which have been introduced in line with our Zero Tolerance policy, or if the complaint is being pursued in an unreasonable manner including frivolous and vexatious complaints.
 - Complaints about an organisation which has not been appointed or contracted by us, for example an External Managing Agent (EMA). Depending on the type of issue raised we may be able to also contact the EMA on your behalf given our interest in the property. By External Managing Agent we mean a managing agent appointed not by us but by a third party, usually a freeholder where we hold a lease.
 - Dissatisfaction with the content of our policies will not be dealt with as a complaint, but we will still provide you with a response to the issue and we will consider feedback when carrying out future policy reviews. Depending on the policy, you may also have a right of appeal (which will be detailed in the policy itself). However, if your complaint is about how we dealt with your request, for example we took too long to provide you with a decision, then this will be dealt with as a complaint.

This list is not exhaustive.

- 2.6 If we decide not to accept a complaint an explanation will be provided setting out the reason why the matter is not suitable for the complaints process. If you are unhappy with this decision you will have the right to take your complaint to the Housing Ombudsman.

3. How to make a Complaint

- 3.1 We will accept a complaint from a person who is in a landlord or tenant relationship with the Association, or an applicant for a property that we own or manage. If the complaint is being made by an ex-occupier, then they would need to have had a legal relationship with us at the time that the issue arose.
- 3.2 We will accept complaints from a representative of any of the above people, such as a relative or an advocate, who is authorised by the complainant to make a complaint on their behalf. However, this does not include a person that you have appointed in a legal capacity unless they have been appointed due to your incapacity or disability (for example, they have a Power of Attorney or have been appointed by an authority such as the Court of Protection to act on your behalf).
- 3.3 Complaints can be made in person, over the telephone, by email, by letter, or via our website. If you need any support or assistance in making a complaint then please let us know so that we can support you, or if you prefer, provide you with the details of other organisations that can help.
- 3.4 If you raise your complaint via social media, we will reply and ask you to message us directly with further details so that we can log your complaint. We will not comment beyond this to ensure that confidentiality and privacy is maintained.
- 3.5 Complaints should be made within a reasonable timeframe. We will not normally accept a complaint about a matter which occurred over 6 months ago, unless the complaint concerns a safeguarding or health and safety issue. If the problem is a recurring issue, we will consider any older reports as background to the complaint.
- 3.6 If at any point you are unhappy with how we are dealing with your complaint, then please let us know. You are also able to contact the Housing Ombudsman Service at any point throughout your complaint for advice. Their details can be found on our website and on the last page of this document.

4. Stage 1 complaint

- 4.1 Stage 1 complaints will be dealt with in an impartial and professional manner by a member of Arhag staff who has undertaken training on complaint handling (the complaint handler). The resident will be contacted by them within 2 working days of reporting the concern to us, unless they speak to them at the time they make their complaint.
- 4.2 The complaint handler will contact the resident, by phone if possible, to acknowledge receipt of the complaint, to confirm our understanding of the complaint, and to find out what resolution they are seeking. The complaint will be logged onto our housing management system along with any supporting documents.

- 4.3 Our aim is to provide a response within 10 working days. If this is not possible, we will contact the resident and let them know why we are not able to do this and when we will provide the response. This will not exceed a further 10 working days.
- 4.4 We will ensure that the resident is given an opportunity to set out their position and to make any comments before a final decision is made.
- 4.5 We will write to the resident using plain language and listing all points raised. We will provide them with a clear response to these and the decisions made and how we will put things right. We recognise that complaints can be resolved in a number of different ways and as part of our response to the complaint we will offer a remedy that reflects the extent of any service failure(s) and the level of detriment this may have caused, taking into account all of the circumstances. This may include acknowledging where things have gone wrong, providing an explanation, apologising, taking action to correct the issue, offering compensation, and using the feedback to inform improvements or changes to our services.
- 4.6 If there are further actions that we need to take as part of the remedy to the complaint (an action plan) the complaint will remain open on our system until these have been completed. We will contact the resident if we run into any difficulties, and we will revisit any offer of compensation already made at the point when all actions have been completed.

5. Escalating your complaint

- 5.1 If the resident is unhappy with the outcome, they can escalate their complaint to Stage 2, this must be done within 20 working days of having received the Stage 1 decision.
- 5.2 When a resident requests their complaint to be escalated we will ask that the resident lets us know, verbally, in person or in writing the reasons why they are unhappy with our response and the outcome that they are seeking. We can provide help with this if it is required.
- 5.3 There may be occasions when it would not be appropriate to escalate the case to Stage 2, for example if the outcome being sought was not within our power or ability to deliver. In cases such as these we will write to the resident and explain why the complaint will not be escalated and what options are available to you.

6. Stage 2 Complaint

- 6.1 When a resident requests their complaint to be escalated we will ask that the resident lets us know the reasons why they are unhappy with our response and the outcome that they are seeking. This can be either in person or in writing.

- 6.2 We will ensure that the resident is given an opportunity to set out their position and to make any further comments before a final decision is made. Within 20 working days from the request to escalate the complaint, we will provide the complainant with our decision on whether their complaint is upheld or not, and if it is upheld, what action is proposed to address it.
- 6.3 If there is a good reason, we may take longer than this, but we will explain this to the resident, but it should not exceed a further 10 working days.
- 6.4 Should longer be required and an agreement over an extension period cannot be reached by both parties, we will provide the Housing Ombudsman's contact details so the resident can challenge our plan for responding and/or the proposed timeliness of a response.

7. Closing a complaint

- 7.1 We will not close a complaint until the complaint investigation has been completed, the decision communicated to the resident and, if an action plan is necessary, this has been agreed with the resident. We may however close the complaint where the resident does not respond to requests to discuss an action plan within 30 working days.

8. What happens if you are still unhappy?

- 8.1 If the resident remains dissatisfied at the end of stage 2, details of how to escalate the matter to the Housing Ombudsman Service will be provided.

- 8.2 Their contact details are:

Housing Ombudsman Service
PO Box 152
Liverpool
L33 7WQ
Phone: 0300 111 3000
Email: info@housingombudsman.org.uk

- 8.3 If your complaint is about consumer credit activities, then you should refer your complaint to the Financial Ombudsman Service. We will provide you with a copy of their standard explanatory leaflet and we will comply with the Financial Conduct Authority's dispute rules in dealing with complaints. Information about the Financial Ombudsman Service and contact details can be found on their website www.financial-ombudsman.org.uk.

9. Complaints from a group of residents or a petition

- 9.1 If we receive a complaint from a Residents or Tenants Association or a petition from a group of residents, then this would be dealt with in line with the process that we have set out above. We will require you to nominate a lead person who is the main point of contact and all our correspondence will be with them. If the complaint escalates to Stage 2 then we will allow one other petitioner/member to be involved in either the Complaint Review Panel or Senior Manager Review.

10. Communication

- 10.1 We will ensure that we keep residents regularly updated with the progress of the complaint even if there is no new information to provide. We may make an arrangement with the resident as to the frequency and method of communication.
- 10.2 We will use plain language when communicating with the resident.
- 10.3 We will write to the resident with the outcome of the complaint giving clear reasons for our decisions made and how we will put things right.

11. Continuous learning and improvement

- 11.1 We recognise the valuable feedback that a complaint can provide, and we have mechanisms in place to ensure that we capture this when we conclude a complaint.
- 11.2 We speak to residents to find out how we dealt with their complaint and pass their feedback onto managers across the business in order to improve the services we provide. We regularly review the number of residents we speak to in order to get fair and representative feedback.
- 11.3 We record and monitor all complaints that we receive, and this information is reviewed by relevant Committees, Managers and Staff across the Association and is used to identify areas where we can improve our services.
- 11.4 Organisational learning and changes to policy and services resulting from complaints will be captured and shared with our Board, Committees, Staff and Residents.
- 11.5 Our performance in respect of complaint handling is constantly reviewed and this information is provided to the Senior Management Team and our Board. Information concerning our performance is also available to our customers and this can be viewed in our Annual Report to Residents or on our website.

12. Equality and diversity

- 12.1 We will treat all people fairly, sensitively and with respect, and take into account the needs of anyone protected by the Equality Act 2010.
- 12.2 We will offer the services of Language Line and make available, our staff and contractors who use a range of languages, to remove language and cultural barriers when residents want to complain.
- 12.3 An Equality Impact Screening has been carried out as part of the development of this policy. The Association aspires to embed diversity and inclusion within all of our business activities to enable these principles to become part of our everyday processes.
- 12.4 We will make reasonable adjustments to our complaints process where necessary, ensuring that residents with a specific need are not at a disadvantage when accessing the service. Examples of the reasonable adjustments we may make include using a resident's communication preference for the duration of the complaint and providing information in alternative formats e.g. Braille, large print or on coloured paper.

13. Related Documents (accessible via website)

- Compensation Policy
- Zero Tolerance Policy
- Reasonable Adjustments Policy
- Housing Ombudsman Complaint Handling Code

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