



Complaints Policy

Department: Corporate

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| CONTENT | PAGE NO. |
|--|-----------------|
| 1. INTRODUCTION | 2 |
| 1.1 Definition..... | 2 |
| 2. AIMS & OBJECTIVES | 3 |
| 3. POLICY STATEMENT | 3 |
| 3.1 Mediation | 3 |
| 3.2 Flexible Management | 4 |
| 3.3 Persistent or unreasonable complaints..... | 4 |
| 3.4 Historical Complaints | 4 |
| 3.5 No new information..... | 5 |
| 3.6 Trivial Complaints | 5 |
| 4 CONFIDENTIALITY | 5 |
| 5 EQUALITY AND DIVERSITY | 5 |
| 6 MONITORING AND EVALUATION | 6 |
| 7 CUSTOMER SERVICE STANDARDS..... | 6 |
| 8 HEALTH & SAFETY | 6 |
| 9 HOUSING OMBUDSMAN | 6 |

1. INTRODUCTION

As a Social Landlord One Housing Group (OHG) recognises meeting residents' expectations of a high standard of service delivery is essential. The proper handling of complaints is therefore one of OHG's highest priorities. Staff are trained to perceive complaints as a valuable resource that handled in the correct manner can only assist in the continuous improvement of the services provided.

OHG has prepared this policy after consultation with residents. This policy lays the foundation for the **Complaints Procedure** and should also be considered in conjunction with the OHG **Compensation Policy** and **Compensation Procedure**.

1.1 Definition

The complaints covered by this policy relate to:

- a failure to comply with a policy or procedure
- a decision which the complainant believes is not fair or clear to them
- the behaviour of OHG staff or contractors
- the level or standard of promised service delivery

It does not cover:

- complaints about services for which OHG is not responsible
- complaints where the tenant is taking legal action against OHG on the same issue
- a new repair request
- complaints of anti social behaviour against anyone other than OHG staff or contractors
- an enquiry or a suggestion. Staff and resident suggestions should be forwarded to the Service Improvement Team's Solution Box email:

solutionsbox@onehousinggroup.co.uk

The complaints covered by this policy may be made by:

- individual tenants, licensees, clients and leaseholders
- OHG tenants living in properties managed by another agency
- non-OHG tenants living in properties managed by OHG
- clients of HCS support services, whether or not they are OHG tenants
- tenant groups which have not signed a recognition agreement with OHG
- MPs and councillors
- any other representative acting on behalf of the complainant
- members of the public directly affected by the services we provide

Recognised tenants' associations will follow the complaints procedure specified in their recognition agreement.

2. AIMS & OBJECTIVES

Aims

- to deliver a complaints service that meets with residents aspirations and is equal to best practice and the Audit Commissions “Excellence Standard” as set out in its Key Lines of Enquiry (KLOES)
- to increased residents’ trust in the organisation.

Objectives

- to resolve problems as quickly and effectively as possible
- to provide guidance for OHG staff to ensure they can follow the related procedures
- to train staff to welcome and encourage complaints, establishing a learning culture within OHG so that it is prepared to accept criticism and learn from complaints.

3. POLICY STATEMENT

OHG is committed to providing a high quality service and all staff work towards this aim. However it recognises that service users may sometimes be dissatisfied with the standard of service they receive and that staff can make mistakes. Front line staff aim to resolve problems with early, preferably immediate, action, but they will simultaneously invite residents to use the formal **Complaints Procedure**.

All complaints are made in confidence and OHG will deal with them in a fair, consistent and impartial manner. OHG will always listen to the complainant’s views, investigate the complaint and explain its actions and if necessary put things right. It will deal with all complaints in an open and accountable way and as far as possible according to agreed timescales as set out in the Complaints Procedure. If OHG cannot meet a target date it will inform the complainant. No one who makes a complaint about OHG will receive a lesser service as a result.

OHG believes that complaints can provide important lessons and lead to service improvements for residents. To ensure that it has a reliable resource upon which to inform service improvement projects, OHG aims to record 100 upheld complaints per year for every 1000 properties managed.

3.1 Mediation

Mediation can resolve disputes quickly and OHG may propose employing a trained mediator at any stage in the process. A mediator is an impartial third party that can guide the parties to a settlement on which they both agree. The mediator will not impose a decision or attempt to judge the merits of the case. Mediation looks at the common ground, the positive aspects and finds the best resolution for both parties. All discussions with a mediator are completely confidential - they will not repeat or imply to another party anything that one party has said unless, or until, the mediator has been given express permission to do so.

If no agreement is reached, the parties are in no way bound by what has been discussed. The agreement only becomes binding once it has been drawn up and signed by both parties. If the agreement is not honoured it may be enforced contractually or preferably by a further mediation.

3.2 Flexible Management

OHG will operate the complaint handling procedure fairly. However, OHG will deviate from the formal complaint procedure, with agreement from a Director, if circumstances merit it. For example, stages may be omitted from the process where a complaint is seen to be frivolous, pursued unreasonably, about a factual matter over which there is no discretion, or simply for practical management reasons such as staff absence. Deviation from the procedure will be recorded, taking into account all relevant matters. The conditions must be explained to the complainant and the manager must act consistently within the altered procedure.

3.3 Persistent or unreasonable complaints

OHG may refuse to deal with a complaint completely. This decision must only be made by a Director and should be made after obtaining legal advice, if necessary, and consulting with the Chair of the Board Complaints Panel. Clear distinctions must be made between people who make a number of complaints because they really think things have gone wrong and people whose complaints are unreasonable. The merits of each case must be considered rather than the attitude of the complainant.

If a complainant has made unreasonable complaints in the past, it cannot be assumed that the next complaint is unreasonable. All relevant correspondence must first be read and evaluated to consider all the circumstances of the complaint, including:

- the history of complaints submitted by an applicant.
- whether an applicant is persistently submitting complaints where there appears to be no reasonable grounds for them to do so.
- whether there is a strong likelihood that such complaints are being made to intentionally cause harassment, divert resources and to disrupt the proper workings of the Housing Association.
- whether the complainant or their representative has been rude or aggressive to staff or has produced excessive correspondence.

3.4 Historical Complaints

Complaints must be made within twelve months of the complainant becoming aware of the problem. If a complaint is made outside of this timescale then the matter should be referred to the relevant Director to determine whether to reject the complaint or if any exceptional circumstances warrant its consideration.



3.5 No new information

If a complaint is about the same matter that has already been considered with only very minor difference, and has exhausted the complaints process, the complainant should be referred to the Ombudsman service, see point 5. If they have been to the Ombudsman and do not agree with their decision they should be referred back to the Ombudsman. If this advice is not taken the complainant should be advised that OHG will not enter into any further correspondence about the matter.

3.6 Trivial Complaints

If the complaints are about matters that have clearly not caused the complainant any injustice it may be appropriate to end the case at stage 1 of the process. It is not necessary to meet the complainant's unreasonable demands or to answer every point in an unreasonable letter. There is no need to provide any right of appeal other than the Ombudsman. The applicant must be provided with a written notice stating that a request is deemed to be unreasonable.

4 CONFIDENTIALITY

Under the Data Protection Act 1998 and the Human Rights Act 1998, all personal and sensitive organisational information, however received, is treated as confidential. This includes:

- anything of a personal nature that is not a matter of public record about a resident, client, applicant, staff or committee member
- sensitive organisational information

Officers will ensure that they only involve other agencies and share information with the consent of the resident concerned, unless:

- OHG is required to by law
- the information is necessary for the protection of children

5 EQUALITY AND DIVERSITY

OHG recognises the needs of a diverse population and always acts within the scope of its own **Equality and Diversity Policy**, the Human Rights Act 1998, The Disability Discrimination Act, and Race Relations Act.

OHG works closely with its partners to ensure it has a clear understanding of its resident community with clear regularly updated service user profiles. The Performance Information Team is responsible for recording, analysing and monitoring information on ethnicity, vulnerability and disability.



6 MONITORING AND EVALUATION

The delivery of this policy will be monitored using a number of techniques described within the **Complaints Procedure Document**. The following performance indicators will be used:

- 90% of complaints to be resolved at organisational level (stage 1 in the process)
- 95% satisfaction with the process
- 90% satisfaction with the action taken or proposed
- 100 upheld complaints for every 1000 properties managed over a one year period, to create a reliable resource upon which to inform service improvement projects

7 CUSTOMER SERVICE STANDARDS

OHG staff will at all times:

- Treat all residents with respect
- Treat all residents' concerns' with respect

Investigate and give a full response within 10 working days

8 HEALTH & SAFETY

This policy will be carried out in compliance with the relevant statutory health and safety requirements and regulations.

9 HOUSING OMBUDSMAN

On the rare occasions when OHG are unable to conclude its complaints process to the satisfaction of the complainant, they will be advised of their right to appeal the decision made by OHG to the Housing Ombudsman (HO). The HO will review the complaint and the actions of OHG in trying to resolve it, if they are not happy with the decision reached by OHG they may:

- recommend mediation
- ask for more information
- order OHG to do something
- recommend OHG does something
- if they believe OHG is acting unreasonably refer them to their regulator

The Housing Ombudsman can be contacted via the details below:

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|---------|---|
| Address | Housing Ombudsman Service 81 Aldwych, London, WC2B 4HN |
| Tel | 020 7421 3800 |
| Lo-Call | 0845 7125 973 |
| Minicom | 020 7404 7092 |
| Fax | 020 7831 1942 |