

## COMPLAINTS POLICY

**Department: Corporate Governance & Compliance**

**Policy Owner:** Head of Corporate Complaints

**Author/ prepared by:** Interim Head of Customer Operations

**Approved by:**  
Customer Service Committee

**Date of approval(s):**  
10 December 2020

**Effective Date:** 4 January 2021

**Review Date:** December 2023

### Contents

1. Policy Statement and Aims
2. Scope
3. Legal and Regulatory Framework
4. Policy Approach
5. Complaint Process
6. Next Steps
7. Other Enquiries
8. Persistent, abusive and unreasonable complaints
9. Learning and Continuous Improvement
10. Equality and Diversity
11. Related Policies / Procedures and documents
12. Complaints Process Map

# 1 Policy Statement and Aims

1.1 We are committed to proactively working with our customers to resolve complaints in a consistent, fair, impartial and transparent way. Both positive and negative feedback can help us to understand what we can do differently and improve our service in the future.

1.2 We aim to deliver excellent customer experience in line with our corporate plan, vision and values which puts our customers at the centre of everything we do. If we fail to do this, we will:

- Apologise to you
- Accept responsibility where we have failed
- Put things right when they're in our control
- Wherever possible we will provide a resolution at the first point of contact
- Ensure that customers are kept informed, provide reasonable timeframes and properly manage their expectations throughout the process
- Ensure a fair and consistent approach to the resolution of complaints
- Seek to identify customers who are vulnerable and account for their specific needs when handling their complaint by making reasonable adjustments
- Listen to your concerns and take effective action to prevent re-occurrence and learn from outcome
- Safeguard the rights of individuals to confidentiality having a duty of care towards customer information and comply with General Data Protection Regulation (GDPR)
- Operate within the regulatory and statutory framework.

1.3 This policy sets out our approach towards handling customer complaints and should be read in conjunction with other related policies listed at the end of this policy.

1.4 Although we will always seek to follow this Policy when dealing with complaints, we reserve the right to use discretion when applying the policy and may deal with a complaint differently where individual circumstances merit it. In these circumstances any discretion will be applied fairly and appropriately, and that the customer will be informed at the earliest opportunity of any departure from this policy. We acknowledge that any

complaint should be progressed as far as possible to maximise the opportunity to resolve a dispute.

## **2 Scope**

- 2.1 We will accept a complaint from a person who is in a landlord or tenant relationship with us, 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.
- 2.2 We also accept complaints from someone acting on behalf of a customer. This could be a friend/relative or a representative from an external organisation (such as Citizens Advice Bureau). We will require written permission from the complainant to allow us to communicate with them directly. 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).
- 2.3 This policy applies to all contractors and other parties providing services on our behalf and we expect them to work with us in an effective manner to resolve customer complaints.

This policy and related procedures do not cover:

- A matter already fully considered through the complaints process, the courts or another legal process. 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 may be dealt with as a complaint.
- A matter directly linked to legal or enforcement action already started by the customer or One Housing. This will include receipt of a letter before action or similar threat of legal proceedings.
- Services for which One Housing are not responsible e.g. local authority decisions about housing benefit or nominations should be raised with the local authority.
- Complaints about anti-social behaviour/neighbour nuisance as this is covered by One Housing's Community Safety Policy, but a complaint will be accepted if it relates to our handling of a report of anti-social behaviour.
- Issues which are over 6 months old unless there is good reason, for example, the complaint was not recorded when it should have been by

One Housing, if the customer was incapacitated due to ill health, or in some circumstances where the complaints concern safeguarding or health and safety issues. If the problem is a recurring issue, we will consider any older reports as background to the complaint. In exceptional circumstances we may consider other issues which are older than 6 months, this will be at our discretion.

- Complaints about our policies are excluded, but complaints about how a policy has been applied or communicated can be considered.

We have set out below where specific issues will be handled by specific internal teams. We will direct any complaints in relation to these areas to the relevant team; you can also contact the team directly where set out below if you wish to do so.

- **A claim for damages** which should be handled as an insurance claim such as personal injury or third-party liability – our Insurance team will review any claims made against us. To speed up the process, you can contact the team directly at [insurance@onehousing.co.uk](mailto:insurance@onehousing.co.uk).
- **Complaints about rent increases** or the level of service charges or its reasonableness. Please refer to our Rents and Service Charge Policy. We will accept complaints if we fail to follow the processes associated with the management of charges or the standard of services being provided.
- **Defects in new build homes** – these are handled by our appointed agents or our Aftercare Team. Details can be found in the Home User Guide. Complaints will be accepted if failures are identified in our handling of this process.
- **Issues relating to staff conduct** will follow the complaints process. However, should there be a need to invoke disciplinary or capability procedures these will be undertaken in accordance with our HR policies and procedures, any action taken against individual employees will not be disclosed.

### 3 Legal and Regulatory Framework

3.1 The Regulator for Social Housing requires providers to have an approach to complaints that is clear, simple and accessible.

3.2 This policy incorporates the key requirement of the following statutory and regulatory requirements

- The Tenant Involvement and Empowerment Standard (Regulator of Social Housing)
- Localism Act 2011
- General Data Protection Regulation (GDPR) 2018
- Equality Act 2010
- Housing Ombudsman Service – Complaint Handling Code

## 4 Policy Approach

### 4.1 Definition

A complaint is defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of actions by us, our staff or those acting on our behalf, affecting an individual resident or group

The policy covers instances where customers:

- Are not satisfied with any aspect of the service we have provided
- Are not satisfied with the standard or service provided by our staff or someone acting on our behalf – this includes professionalism and conduct
- Feel that we have failed to follow our policies and procedures.

### 4.2 How to make a complaint

Customers can make a complaint by the following methods:

- Via our [online portal](#)
- By e-mailing [CorporateComplaints@onehousing.co.uk](mailto:CorporateComplaints@onehousing.co.uk)
- Completing the [complaint form](#) online at [www.onehousing.co.uk](http://www.onehousing.co.uk)
- Directly to any of our staff
- Via a representative or advocate (written permission is required from the customer)
- Calling our Customer Service Centre on **0300 123 9966**
- In writing to our offices
- In person by visiting our office at **Atelier House, 64 Pratt Street, London NW1 0DL**
- Via social media – One Housing Facebook and Twitter.

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.

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.

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 the last page of this document.

### 4.3 Principles of the complaints policy

## **Complaint Handling**

When a customer makes a complaint, our Corporate Complaints Team will do the following:

- Acknowledge the complaint within two working days
- Understand the issues and outcome sought by the customer
- Identify what actions may be needed to resolve the complaint
- Confirm the lead officer assigned to investigate the complaint
  
- Agree with the customer the frequency and method of contact during the handling of their complaint
- Identify any vulnerabilities or needs relevant to resolving the complaint and make any necessary reasonable adjustments in accordance with our Reasonable Adjustments Policy
  
- Manage customer expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic
- Always ensure the person handling the complaint provides a single point of contact for the customer and has the knowledge to deal with the complaint effectively
- When a complaint involves more than one service area, the complaint will be allocated to a lead officer from the service area that forms the main basis of the complaint. The lead officer will respond to all matters in the complaint, obtaining information from other teams as necessary
- Maintain clear record keeping and accurately logging the complaint, capturing all relevant information, recording all decisions made including any compensation offer payment
- Where appropriate, issue compensation fairly and promptly and in line with our Compensation and other Payments Policy
- Contact the customer before closing the case to ensure all agreed actions have been completed
- Always ensure any formal correspondence with the customer comes from us
- Record all lessons learned so we can continually improve our service.

## **Early Resolution**

There may be instances where a complaint can be resolved quickly and without the need to log a formal complaint. Examples of where early resolution may be possible include a missed appointment, a delay in providing a response or not carrying out a scheduled task, such as cleaning. We will agree this with you, and if you would still like to raise this as a formal complaint you will be able to do so. If the customer would like the matter to be dealt with by early resolution, our Resolutions Team or the relevant department responsible for the service area will be able to do this at first point of contact. Officers will aim to resolve the complaint within three working days. If the customer is unhappy with the outcome of the actions taken, including

any offer of compensation, then the customer can ask for the matter to be considered at Stage 1 of our complaints process

If we're unable to resolve the issue as an early resolution or our customer has specifically asked for a formal investigation of their complaint, we will log a formal complaint under Stage 1 of the complaints process.

Where we are able to provide an early resolution, no written response will be provided, but we will continue to record and monitor these instances so that

we continue to learn from our customers and improve our service delivery. We will log the outcome of any early resolution achieved.

## **5 Complaints Process**

We operate a two-stage complaints process for formal complaints.

### **Stage 1 – Investigation and resolution**

- 5.1 All complaints will be acknowledged within two working days of receipt by the Corporate Complaints Team. They will confirm the lead officer from the relevant service area assigned to investigate and respond to the complaint.
- 5.2 The lead officer must make contact within two working days of receiving the complaint to gather any additional information required and to agree a date for resolution.
- 5.3 We aim to respond to complaints within 10 working days from the receipt of the complaint. If this is not possible, we will give reasons for the delay and agree an extension and provide a date by which a Stage 1 response should be received. This should not exceed a further 10 days without good reason and following the response any agreed actions will be monitored through to a conclusion and completed to a satisfactory standard in agreement with the customer.
- 5.4 The full response will be in writing. The response will state that this is a Stage 1 complaint, it will outline the complaint and set out the response in full. We recognise that complaints can be resolved in a number of different ways and as part of our response to your complaint we will, where appropriate, 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.
- 5.5 Where the resolution to the complaint has been agreed by the lead officer and the customer, the complaint will be closed.

- 5.6 A complaint which has had a full response at Stage 1 should not remain open beyond 28 calendar days from the date of the response, unless there are agreed actions that will take longer than 28 days to resolve.
- 5.7 We reserve the right to close the complaint if the customer does not wish to escalate to Stage 2, or where we have been unable to establish contact after three attempts and the full 28 days have expired.

## **Stage 2 – Senior Manager Review**

- 5.8 Should the customer request to proceed to Stage 2 this should be addressed directly to the Corporate Complaints Team by either e-mail or by post to One Housing's Head Office. 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 this to you. In cases such as these we will write to you and explain why the complaint will not be escalated and what options are available to you.
- 5.9 An acknowledgment to this request will be sent to the customer within two working days.
- 5.10 A senior manager, not previously involved with the complaint, will carry out a robust review of the customer's complaint supported by the Corporate Complaints Team.
- 5.11 The review will usually be restricted to the matters included in the Stage 1 complaint unless we decide otherwise, for example where they related directly to the original complaint. Any new issues not dealt with as part of Stage 2 will need to be dealt with as a new complaint.
- 5.12 The senior manager will make contact within three working days from the date of being assigned the Stage 2 review.
- 5.13 The senior manager will be responsible for:
- Understanding the issues and the outcome sought
  - Reviewing the Stage 1 investigation and actions to assess whether we have met our responsibilities
  - Identify any additional actions that may be required to ensure that the complaint can be resolved.
- 5.14 We aim to complete the Stage 2 review within 20 working days from the date of request to escalate unless there are exceptional circumstances, or a later date is agreed with the customer. This should not exceed a further 10 working days without good reason.
- 5.15 The senior manager will send a full written response to the customer detailing the outcome of the review. Where the decision is that no further action is

required, and that all reasonable and appropriate measures have been taken, the customer will be informed that they have reached the end of the complaints process and advised of their next available steps.

- 5.16 The Corporate Complaints Team will record and capture all information on the Stage 2 process and will monitor all actions to completion.

## **6 Next Steps**

### **6.1 Designated Persons**

If a customer remains dissatisfied and wishes to take the complaint further they can approach a Designated Person.

A Designated Person can help to resolve a complaint after a landlord's internal complaint process has been exhausted.

The following are 'Designated Persons':

- MP (Member of Parliament)
- Councillor
- Tenant Panel

The role of the Designated Person is to assist in the resolution of complaints locally. They can be approached at any point by the customer to assist with making, or resolving, a complaint.

If the Designated Person considers they are unable to assist with the complaint, and if authorised by the customer, they can refer the complaint to the Housing Ombudsman Service.

Customers can escalate their complaint directly to the Housing Ombudsman for investigation, eight weeks after completion of the Stage 2 of this policy.

### **Housing Ombudsman Service**

Contact details:

Housing Ombudsman Service

PO box 152

Liverpool L337WQ

Telephone: 0300 111 3000

Fax: 020 7831 1942

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

Web: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

### **Member of Parliament (MP) / Cllr**

Contact details for Ward Councillors can be obtained from the Local Authority, or online at [www.gov.uk](http://www.gov.uk) . Contact details for a Member of Parliament can be found online at [www.parliament.uk](http://www.parliament.uk) or by writing to:  
House of Commons,  
London SW1A 0AA

### **First-Tier Tribunal (FTT)**

Customers can apply to the First Tier Tribunal for complaints relating to liability to pay and the reasonableness of services charges once our complaints process has been exhausted. In these instances, the Housing Ombudsman has no jurisdiction.

Contact details:  
[www.gov.uk/housing-tribunals](http://www.gov.uk/housing-tribunals)

### **Complaints about Care and Support Services**

Complaints about our care services should be referred to the **Local Government & Social Care Ombudsman (LGO)** at <https://lgo.org.uk> or by calling 0300 061 0614. Such complaints can also be referred to the **Care Quality Commission (CQC)**. Please note the Commission does not deal with complaints from customer directly; it simply takes these into account in its planning programme. You can contact the Care Quality Commission at <https://cqc.org.uk> or by calling 0300 616 162.

Where we are providing services on behalf of a Local Authorities, customers can also complain to their local authority, this will apply to customers in temporary or supported housing in receipt of services such as floating support.

Find your Local Authority at <https://www.gov.uk/find-local-council>

## **7 Other Enquiries**

### **Petitions**

- 7.1 We recognise the importance of petitions as a medium through which concerns can be highlighted and improvements made to our services.
- 7.2 A complaint made in the form of a petition on behalf of multiple customers will be treated as one complaint and 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.

### **Social media enquiries**

- 7.3 Customers contacting us via social media on issues relating to a first request for service will be responded to by the relevant service area.
- 7.4 Where the issues raised require a full investigation, this will either be entered into the formal complaint process or be included as further information on a complaint already being investigated.

### **Complaints made directly to the Chief Executive/Executive Director**

- 7.5 Correspondence sent to the Chief Executive or other member of the Executive Team will be investigated as a new complaint by the relevant service area of the organisation or will be included as further information in a complaint already investigated.

### **MP /Cllr enquiries**

- 7.6 We aim to respond to enquiries received from an MP/Cllr (when not acting as a designated person) within 10 working days. Unless the content is in relation to a specific complaint, these will be dealt with outside of the complaints process. Should the enquiry relate to an existing complaint any information will be added to the complaint already logged and the MP/Cllr kept updated.

## **8 Persistent, Abusive or Unreasonable Behaviour**

- 8.1 We will not discriminate against anyone who makes a complaint. If a customer or their representative behaves inappropriately in making a complaint, we will seek to manage that behaviour as necessary, while treating the complaint like any other.

In these cases, while focussing on, and seeking to resolve the substance of any complaint, we will manage the behaviour in line with our **Unacceptable Customer Behaviour Policy**.

## **9 Learning and Continuous Improvement**

- 9.1 In line with the principles of dispute resolution recommended by the Housing Ombudsman Service, One Housing seeks continuous improvement through analysing the themes and trends and using feedback and lessons learnt from concerns, complaints and compliments to improve service design and delivery. Continuous improvement focuses on increasing both the effectiveness and efficiency of the organisation to fulfil its corporate plan objectives, in this case in relation to customer service.
- 9.2 All feedback is monitored and extensively reported on to the Senior Leadership team, Executive team, Customer Services Committee (and

through them our Group Board) as well as our Resident Panels on a regular basis.

- 9.3 Our approach to continuous improvement is underpinned by the adoption of best practice, regular improvement reviews, evaluation and monitoring of the organisation activities to establish areas for development. Feedback from our customers is a key element of continuous improvement.

## 10 Equality and Diversity

- 10.1 One Housing is committed to valuing and promoting Equality and Diversity. We're working hard to create a culture that celebrates and welcomes individuality, irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity status, race, religious or political beliefs, gender, sexual orientation or any other unfair distinction. We expect our staff to share these values and treat all our customers with fairness and respect. We will not treat customers who make complaints any differently from other customers.

## 11 Related Policies / Procedures & documents

This policy should be read in conjunction with the following policies:

- Compensation & Other Payments Policy
- Unacceptable Customer Behaviour Policy
- Equality & Diversity Policy
- Reasonable Adjustment Policy
- Rent and Service Charge Policy
- Community Safety Policy

## 12 Complaints Process Map

