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# Complaints and compliments policy

## Citystyle and One Housing

*Non-social housing services*

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**Department: Corporate**

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## 1. INTRODUCTION

One Housing recognises that it is really important to provide a high standard of service for our customers. This means that the proper handling of service queries and complaints is one of our highest priorities. Staff members are trained to perceive complaints and feedback as a valuable source of information about services and processes that, when handled in the correct manner can assist in continuous improvement.

This policy lays the foundation for the complaints and compliments process for non-social property and housing services, including those which are managed by One Housing and those which are managed by One Housing's Citystyle department. The policy should also be considered in conjunction with our [Compensation and other payments policy](#) if applicable.

To ensure that this policy meets the support needs across our diverse range of customers, it has been written in consideration of the Principles of Good Complaint Handling (Parliamentary And Health Service Ombudsman, 2008), The National Patient Safety Agency Being Open Framework and the Department of Health 2009 guidance on better customer care.

## 2. AIMS & OBJECTIVES

### Aims

- To deliver a complaints service that meets One Housing's service standards.
- To facilitate organisational learning from complaints.

### Objectives

- To work collaboratively internally, with partner organisations and other agencies where necessary to coordinate comprehensive outcomes to complaints.
- To facilitate the effective and early resolution of complaints.
- To use the analysis of complaints to help One Housing improve services and reduce the level of complaints.
- To manage all complaints in an open and accountable way.
- To ensure complaints are justifiable and do not hinder day to day operational management of our services.
- To ensure the small minority of complaints which are frivolous, vexatious or excessively persistent do not divert resources from the delivery and improvement of services to other residents.

## 3. DEFINITIONS

### Complaints

One Housing operates a complaints process with up to 2 stages, covering issues relating to:

- Failure to comply with policy, procedure or standards of service delivery.
- A decision which the complainant believes is not fair or clear to them.
- The behaviour of our staff or contractors.



### It does not cover:

- Services for which One Housing is not responsible.

- Where the complainant is taking legal action against One Housing on the same or related issue or One Housing is taking legal action against the complainant on the same or related issue.
- Where we may be required to restrict contact for legal reasons.
- Complaints submitted anonymously (One Housing will attempt investigation where possible).
- Complaints submitted six months or more after the issue occurred and it is being brought to One Housing's attention for the first time. Exceptions may be made at the discretion of the manager responsible for the service.
- Where the complainant is an employee of One Housing (unless they occupy a One Housing property and the complaint relates to issues around their tenancy).
- Reporting repairs, anti-social behaviour or issues surrounding bulk rubbish.
- Issues which relate to theft in an individual's property or communal area. In this instance the individual must contact their insurer to discuss making a claim.

Please note: A complaint is not a request for a service or an enquiry.

One Housing will always endeavour to deal with complaints covered in this policy to the highest standards, putting the customer first and remedying a problem wherever possible. However, where a matter is raised that this policy does not cover, One Housing will not raise a complaint, and take no action through the complaints process.

### **Complainants**

Complaints from the following individuals or groups will be managed under this policy and include the following categories:

- Leaseholders of One Housing or its subsidiaries
- Market Renters of One Housing or its subsidiaries
- Freeholders that pay service charge to One Housing
- Tenants of Commercial Units
- Landlords that have a contractual relationship with One Housing
- Guarantors of customers living in non-social properties managed by One Housing or Citystyle.

### **Compliments**

This policy encourages all kinds of feedback. Anyone who has a relationship with us can compliment a member of staff, a team or the organisation. Compliments are passed on to staff and their line manager, and are used to identify areas of good practise we can learn from. Compliments can be submitted in writing to any member of staff who will forward this on or can be forwarded to [solutionsbox@onehousinggroup.co.uk](mailto:solutionsbox@onehousinggroup.co.uk).

### **Exclusions**

The following will sit outside of this policy:

- Complaints regarding One Housing's social housing services (relating to any regulated social housing tenancy or prospective tenancy). These complaints will be managed under the **Complaints and compliments policy** dedicated for this service area.
- Complaints that relate to insurance or damage claims that have been passed to our insurers. One Housing will close any related complaint until the insurer's decision is known.
- Complaints about the level of service charge or its reasonableness. Please refer to the One Housing's **Rent and service charge policy**.

- Complaints that relate to crimes that have been committed in communal areas, including parking areas or bike sheds. Vehicles and items are left at the owner's own risk and One Housing is not liable for any damage or theft of personal effects.
- Complaints that relate to Anti-Social Behaviour case management that is currently ongoing. These will be dealt with in line with One Housing's **Anti-social behaviour policy** in the first instance.
- Complaints from Aftersales customers relating to the sale of private homes and any defect related issues will be managed in accordance with the Aftersales Customer Service Standards.
- Complaints received from a subtenant of a leaseholder. Subtenants must contact their leaseholder or third party managing agent to raise an issue and utilise the agent's complaints procedure.
- Should the complaint be in regards to any agent acting on behalf of One Housing or Citystyle, for example an agent we have employed to manage a building, customers may be advised to proceed through the agent's complaint handling process first before we will consider the matter.
- Should the complaint relate to parking enforcement, customers may be advised to proceed through the relevant agencies complaint handling process first before we will consider the matter.
- Subject Access Requests are dealt with in accordance with One Housing's Privacy notice.
- Housing associations are not subject to the Freedom of Information Act 2000 and One Housing will not release commercially sensitive information unless legally obliged to do so.

One Housing reserves the right to deviate from this policy and investigate complaints from these excluded client groups at any time.

## 4. POLICY STATEMENT

### 4.1. How to complain

<b>In writing</b>	Business Insight Team One Housing Suttons Wharf South 44 Palmers Road E2 0TA
<b>By email</b>	<a href="mailto:complaints@onehousing.co.uk">complaints@onehousing.co.uk</a>
<b>By telephone</b>	0300 123 9966
<b>By fax</b>	020 8821 5250
<b>Via One Housing website</b>	<a href="http://www.onehousing.co.uk">www.onehousing.co.uk</a>
<b>In person to any member of staff</b>	

- You must provide us with your name, contact details and where applicable the property the complaint relates to.
- You should also clearly state the outcome, remedy or recourse you are seeking to help with the resolution of the issue.
- Your complaint should be reasonable and proportionate, summarised to no more than two sides of A4, with supporting documentation provided where appropriate.

### 4.2. How complaints will be managed

- Where possible, we will endeavour to ensure that all tenants know how to complain.
- Where possible, make personal contact with complainants, by telephone, to understand their complaint, attempt resolution and provide an update.

- Complaints can often be settled relatively quickly with your Citystyle representative without the need to go through the formal complaints process - In the first instance we will offer the tenant a “quick fix” to see if we can resolve the complaint to their satisfaction.
- Quick Fix: The member of staff will find out from the customer what the issue is, what they would like to be done to resolve the matter and a timescale when it should be resolved. If the member of staff can resolve the complaint within 2 working days it will be resolved as a Quick Fix Complaint.
- If the customer’s complaint cannot be resolved informally within 2 working days, it will be treated as a formal complaint via this process, and given to the correct member of staff who will advise when the tenant can expect to receive a full response.
- We will acknowledge all complaints in writing within 2 working days.
- Respond to stage 1 complaint within 10 working days. This response may be verbal and if so, will be confirmed in writing. Where this is not practically possible, One Housing will give reasons and agree new timescales with the complainant.
- Review and respond to any stage 2 complaints within 20 working days following receipt of the escalation request and details required for reasonable resolution.
- Support vulnerable customers through the complaints process and, where appropriate, refer them to alternative services that may be able to assist.
- Provide alternative avenues to seek support when the service requested is outside our remit where appropriate and where possible.
- Where a property is owned by a third party, One Housing will aim to resolve the complaint to the best of its ability. However, there may be occasions where One Housing has limited recourse available if the freeholder will not collaborate to resolve the issue.
- For avoidance of doubt the primary purpose of the complaints policy is to seek reasonable and proportionate solutions to the issues or circumstances which have led to the complaint.
- Where compensation may be due, this will be in accordance with our Compensation & Other Payments Policy. Where compensation is offered, this is in full and final settlement of the complaint. Compensation is not used as a primary resolution method for complaints.
- If a complaint is received from a group of residents, the group must nominate a lead resident who One Housing will correspond with in regards to the complaint.

#### **4.3. When a complaint may be refused or terminated**

In certain circumstances we may refuse to deal with a complaint completely. Such circumstances include:

- If a complaint is about the same matter that has already been considered with only very minor difference and has exhausted the complaints process, we will advise that the matter is closed. The complainant then has the right to seek redress from external parties (legal representative, designated persons, Housing Ombudsman Service as appropriate).
- A complaint escalation may be refused at senior management’s discretion, if the resolution required by the complainant is out of the remit or responsibility of One Housing or is excessive, disproportionate or unreasonable given the service failure. This will be explained fully verbally if appropriate and/or summarised in writing.
- Where a complaint is persistent, vexatious or unreasonable (see section 4.4).
- One Housing will not meet excessive demands or answer every point in an unreasonable letter. In such circumstances One Housing may consider it appropriate to end a complaint. Please refer to 4.4.
- Where a complaint is not considered justifiable and hinders day to day operational management of our services.
- Where a complaint is considered an attempt to unduly divert resources from the provision of our services or where this may in practice be the case even if unintentional by the complainant.
- Where a complainant is engaged in legal action against One Housing.
- Where One Housing is engaged in legal action against a complainant.
- Where we may be required to restrict contact for legal and data protection reasons.

#### **4.4. Persistent or vexatious complaints**

If a complainant has made unreasonable complaints in the past, we will not assume that their next complaint is unreasonable as each case will be considered on its merits. All relevant correspondence will be evaluated to consider the circumstances, including:

- Whether there is a likelihood that complaints are being made to intentionally cause harassment, divert resources or to disrupt the proper workings of One Housing.
- Whether a complainant or advocate has made persistent or unreasonable demands.
- Whether the complainant or their advocate has been abusive or threatening to staff or has produced excessive correspondence.
- Where the complaint is considered to hinder day to day operational management of our services.
- Whether the complainant or advocate displays vexatious or unreasonable behaviour.

#### **4.5. Deviation from policy**

One Housing aims to be consistent in the application of this policy; however we may deviate from this with authority of a senior manager. Deviation from the policy will be recorded and explained to all parties involved.

#### **4.6. Advocates**

We recognise that some people who wish to complain may need support in doing so. We therefore are happy to accept complaints made by advocates on behalf of a complainant where necessary. We will take steps in line with our Data protection policy to make sure that the complainant is in agreement. A completed and signed advocacy form may be required to evidence a complainant's authorisation. Where, for reasons of incapacity, it is not possible for the complainant to authorise an advocate in this way, we may sometimes request other evidence that the advocacy is legitimate e.g. a Mental Capacity Act Assessment.

#### **4.7. External Complaints Resolution Bodies**

On the rare occasions when One Housing is unable to conclude its complaints process to the satisfaction of the complainant, they will be advised of their right to approach a designated person such as an MP, Councillor or a recognised designated tenant panel if available. In accordance with the Localism Act 2011, complainants may refer their complaint directly to the Housing Ombudsman Service eight weeks after exhaustion of One Housing's complaints procedure.

### **5. LEGISLATION, REGULATION & GUIDANCE**

Government legislation has an impact on how we implement our Complaints and Compliments Policy. Listed below are the key regulatory standards and statutory Acts that have been acknowledged.

- Homes & Communities Agency Regulatory Framework 2015
- Localism Act 2011
- Mental Health Capacity Act 2005
- Equality Act 2010
- Data Protection Act 1998

### **6. 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, including:

- Anything of a personal nature that is not a matter of public record about a tenant, customer, 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:

- One Housing Group is required to by law
- The information is necessary for the safeguarding of children and vulnerable adults

## 7. MONITORING & REPORTING

Complaints will be monitored and the findings will be regularly published to scrutiny groups, residents and the Board. In line with best practice recommended by the Principles of Good Complaint Handling (Parliamentary and Health Service Ombudsman, 2008) One Housing seeks continuous improvement through using feedback and lessons learnt from complaints to improve service design and delivery. This information will also be monitored and shared throughout the organisation to facilitate improvement.

## 8. GLOSSARY OF TERMS USED IN THIS POLICY

Term	Definition
Advocate	A person or persons acting on behalf of a complainant to assist them in making and managing their complaint with One Housing
Aftersales	The customer support and services provided to customers who have purchased a home from Citystyle or One Housing.
Designated Persons	Designated Person is defined in the Localism Act 2011 as an MP, Councillor for the region in which the complainant's home is located, or a recognised Designated Tenant Panel. For more information see the guidance on <a href="http://www.housing-ombudsman.org.uk">www.housing-ombudsman.org.uk</a>
Guarantor	A named person or persons identified as guarantor within a One Housing customer's lease, tenancy agreement or licence, and who is signatory to the lease, tenancy agreement or licence.
Housing Ombudsman Service	An Ombudsman service to look at complaints about registered providers of social housing. For more information see <a href="http://www.housing-ombudsman.org.uk">www.housing-ombudsman.org.uk</a>
Mental Capacity Act	A parliamentary Act designed to protect people who lack the capacity to make particular decisions. For further information see <a href="http://www.legislation.gov.uk">www.legislation.gov.uk</a>
Senior Manager	<ul style="list-style-type: none"> <li>▪ Head of Service</li> <li>▪ Assistant Director</li> <li>▪ Director</li> </ul>
Social Housing Tenant	Defined in the Housing Regeneration Act 2008 as someone in "low cost rental" or "low cost home ownership." This includes <ul style="list-style-type: none"> <li>▪ General needs tenants</li> <li>▪ Shared Owners</li> <li>▪ Key workers</li> <li>▪ Rent to Home Buy</li> <li>▪ Intermediate rented</li> </ul>
Non-social housing services	Services outside of the above definition of social housing: <ul style="list-style-type: none"> <li>• Leaseholders of One Housing</li> <li>• Market Renters</li> <li>• Freeholders</li> <li>• Tenants of Commercial Units</li> </ul>