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# Complaints and compliments policy

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## 1. INTRODUCTION

As a significant landlord One Housing Group recognises that providing a high standard of service delivery is essential. The proper handling of complaints is therefore one of OHG's highest priorities. Staff members are trained to perceive complaints as a valuable source of information about services and processes that handled in the correct manner can assist in continuous improvement.

To ensure that this policy meets the support needs across OHG's 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.

OHG has prepared this policy after consultation with residents following the introduction of the Localism Act 2011. It lays the foundation for the **Complaints and Compliments Procedure** and should also be considered in conjunction with OHG's **Compensation & Other Payments Policy**. The impact of the revised policy will be assessed after 6 months of issue and reviewed.

### 1.1 Definitions

#### Compliments

This policy encourages all kinds of feedback. Anyone who has a relationship with One Housing Group 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 OHG can learn from. Compliments can be submitted verbally to any member of staff who will forward this on or can be forwarded to [solutionsbox@onehousinggroup.co.uk](mailto:solutionsbox@onehousinggroup.co.uk)

#### Complaints

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

- a 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 OHG staff or contractors



#### It does not cover:

- services for which OHG is not responsible
- where the complainant is taking legal action against OHG on the same issue or OHG is taking legal action against the complainant on the same issue
- complaints submitted anonymously (OHG will attempt investigation where possible)
- complaints submitted six months or more after the issue occurred and it is being brought to OHG'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 Group (unless they occupy an OHG property and the complaint relates to issues around their tenancy)
- reporting repairs or anti-social behaviour.

**For complaints about services covered by Care Quality Commission (CQC) and/or local or health authorities see section 3.7.**

### **Complainants**

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

- potential and current social housing residents of OHG as defined in the Housing & Regeneration Act 2008 (refer to glossary for additional information)
- non-OHG social housing tenants living in properties managed by OHG
- social housing tenants living in agency managed properties must have first utilised the agency's complaints procedure.
- One Support services users
- MPs and councillors making a complaint on behalf of a tenant
- other advocates acting on behalf of a tenant (see section 3.6). This does not include legal representatives who write to us with a view to take legal action
- Tenant Associations will follow the procedure set out in their signed recognition agreement

### **The following will sit outside of this policy:**

- complaints from other OHG customers such as Leaseholders, Market Renters, Freeholders and Commercial Units will be referred to the City Style Residential Customer Services Team and managed in accordance with their policy and procedure
- 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 will only be taken from ex-residents if the individual initially expressed dissatisfaction about the issue whilst they were still residing in an OHG property. In all other instances, OHG will treat the query as an enquiry only.

## **2. AIMS & OBJECTIVES**

### **Aims**

- To deliver a complaints service that meets OHG'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 OHG improve services and reduce the level of complaints.
- To manage all complaints in an open and accountable way.

## **3. POLICY STATEMENT**

### **3.1. How to complain**

- In writing via letter, email, fax, complaints form (hard copy or OHG website).
- By telephone.
- In person to any member of staff.

### 3.2. How OHG manages complaints

- Ensure that all tenants know how to complain.
- Make personal contact with complainants, ideally by telephone, to understand their complaint, attempt resolution and update them.
- Acknowledge all complaints in writing within 2 working days.
- Respond to stage 1 complaints within 10 working days. Where this is not practically possible, OHG will give reasons and agree new timescales with the complainant.
- Review and respond to stage 2 complaints within 10 working days following receipt of the escalation request.
- 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 OHG's remit where appropriate and where possible.

### 3.3. When a complaint may be refused or terminated

In exceptional circumstances OHG 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, OHG 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 and where appropriate the CQC, local or health authorities)
- 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 OHG or is excessive given the service failure. This will be explained fully in writing
- where a complaint is persistent, vexatious or unreasonable (see section 3.4)
- OHG will not meet excessive demands or answer every point in an unreasonable letter. In such circumstances OHG may consider it appropriate to end a complaint.

### 3.4. Persistent or vexatious complaints

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

- whether a complainant has made persistent or unreasonable demands
- whether there is a strong likelihood that complaints are being made to intentionally cause harassment, divert resources or to disrupt the proper workings of OHG
- whether the complainant or their representative has been abusive or threatening to staff or has produced excessive correspondence
- whether the complainant displays vexatious behaviour.

The handling of these complaints will be managed in line with [OHG's Unacceptable Customers Behaviour Policy](#)

### 3.5. Deviating from policy

OHG aims to be consistent in the application of this policy. However OHG may deviate from this with agreement from a Senior Manager, if circumstances merit it. Deviation from the policy will be recorded and explained to all parties involved.

### **3.6. Advocates**

OHG recognises that some people who wish to complain may need support in doing so. OHG accepts complaints made by advocates on behalf of a complainant. OHG will take steps in line with its Data Protection Policy to make sure that the complainant is in agreement. A completed and signed advocacy form would 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 will request other evidence that the advocacy is legitimate e.g. a Mental Capacity Act Assessment.

### **3.7. External Complaints Resolution Bodies**

On the rare occasions when OHG 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. In accordance with the Localism Act 2011, complainants may refer their complaint directly to the Housing Ombudsman Service eight weeks after exhaustion of OHG's complaints procedure.

Complaints relating to services registered by the Care Quality Commission, or commissioned by the Local or Health Authorities retain their right to complain to these bodies directly at any stage. These organisations will often expect internal complaints procedures to have been fully exhausted before getting involved, but in some cases will investigate before internal procedures are completed. One Housing Group respects the rights of its One Support customers to complain to these statutory bodies and will work openly with partner agencies to resolve any legitimate concerns that customers raise.

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

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

- Homes & Communities Agency Regulatory Framework 2012
- Localism Act 2011
- Mental Health Capacity Act 2005
- Equality Act 2010

## **5. 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:

- OHG is required to by law
- the information is necessary for the safeguarding of children and vulnerable adults.

## **6. MONITORING & REPORTING**

Complaints will be monitored in 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) OHG seeks continuous improvement through using feedback and lessons learnt from complaints to improve service design and delivery.

## 7. 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 OHG
Aftersales	The customer support and services provided to customers who have purchased a home from City Style Homes or OHG.
City Style Residential (CSR)	OHG's entity for managing the services for non-social housing customer groups, including leaseholders, market renters, commercial unit customers and freeholders (owner occupiers).
CQC	Care Quality Commission – a UK regulator that checks whether hospitals, care homes and care services meet national standards. For more information see <a href="http://www.cqc.org.uk">www.cqc.org.uk</a>
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>
HOS	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>
MCA	Mental Capacity Act 2005 – a UK 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>
OHG	One Housing Group
One Support (OS)	OHG's entity for support service – providing support for vulnerable customer groups. For more information see <a href="http://www.onehousinggroup.co.uk/one-support">www.onehousinggroup.co.uk/one-support</a>
Senior Manager	<ul style="list-style-type: none"> <li>▪ Head of service area</li> <li>▪ Assistant Director of service area</li> <li>▪ Director for service area</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>