Complaints Policy

1. Purpose and Aims of the Policy

1.1. Habinteg is committed to providing a high quality service to our customers. There may be times when customers will want to make a complaint about the service they have received.

1.2. We actively seek customer feedback whether that is complaints, compliments or suggestions on our services. This approach allows us to understand what our customers’ perception is and to use this feedback to inform and improve the services that we deliver.

1.3. We seek to provide a complaints policy that is clear, transparent and accessible to everyone.

1.4. Habinteg seek to resolve complaints in a fair and timely manner at the first opportunity

1.5. Habinteg retain the right, where we consider the actions of a complainant to be unacceptable to restrict or change such access as set out in this policy.

1.6. We will learn from complaint investigations to improve service delivery

2. Scope

2.1. The Complaints Policy is accessible to those who receive a service from Habinteg or who represent such a person. Examples include:

- All Habinteg tenants; and
- Habinteg will accept and investigate complaints from external third parties (ie applicants and non tenants) but these will fall outside of the formal complaints policy. The respective head of service will decide the appropriate action.

3. Policy statements

3.1. Habinteg will follow the resolution principles laid out by the Housing Ombudsman, with particular reference to the Regulatory framework:

**Be fair**
- Ensure that the focus is on the individual, everyone is entitled to receive the same standard of service;
- Be consistent;
- Be clear where responsibility lies for any action, including resolving the dispute;
- Respect privacy and confidentiality; and
- Give everyone involved in the complaint the chance to explain their point of view

**Put things right**
- Identify if anything went wrong and take the necessary action to put it right;

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<th>Approved by</th>
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<td>Executive Management Team</td>
<td>December 2019</td>
<td>December 2024</td>
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• The tenant is put back in the position they would have been in if there had been no service failure;
• Financial compensation may be offered as part of complaint resolution and considered on a case by case basis (see compensation policy); and
• Expectations are properly managed

Learn from outcomes

• Decision makers to look beyond the individual complaint to see if there are wider policy / procedural implications;
• Improved quality and focus of services; and
• Systems are in place to record, analyse data from complaints

4. Definition of a Complaint

4.1. We try to provide the best possible service at all times, but we don't always get it right. When this happens, we want to know about it and we treat all complaints seriously. Customers may want to complain if you feel we have:

• Failed to follow our policies or procedures;
• Failed to do something that we should have done;
• Done something that we should not have done; and
• Done something that has failed to meet our published standards

4.2. A complaint is not:

• An initial request for a service, such as the first report of a repair;
• An initial request for information or an explanation;
• About anti-social behaviour, as these reports are dealt with under another procedure; and
• An appeal against action resulting in court proceedings or matters subject to ongoing court proceedings

4.3. Where a complainant has chosen an alternative route to seek redress, such as an insurance claim or legal action, we will not consider the matter under this policy until the alternative route has been exhausted. In addition, Habinteg will be unable to investigate complaints relating to issues over 6 months old unless there are exceptional, evidenced circumstances. Ie exreme vulnerability or long term sickness.

4.4. This policy cannot be used where an investigation and determination has been concluded using another of our policies or disciplinary procedures e.g tenant involvement code of conduct
5. The Use of Advocates

5.1. Complainants may ask another person to act on their behalf in bringing their complaint to Habinteg. The advocate may be a friend, relative or representative from an external organisation such as the Citizens Advice Bureau. The advocate may not be a solicitor or legal professional unless they are acting in a “lay” capacity i.e. not representing the complainant in a legal capacity. The advocate must be nominated to Habinteg in advance of the meeting. Habinteg reserve the right to refuse any nomination.

6. Persistent, Abusive or Unreasonable Complaints

6.1. Habinteg retain the right to restrict access to this policy where we deem the complainant to be persistent, abusive or unreasonable. For the purposes of this policy, these may be categorised as:-

- Refusing to specify the details of a complaint, despite offers of assistance;
- Pursuing a complaint where Habinteg’s complaint policy has been fully exhausted;
- Persistently changing the substance of a complaint or continually raising new issues or seeking to prolong contact by raising further concerns;
- Denying or changing statements made at an earlier stage;
- Making unjustified complaints about staff who are trying to deal with an issue and requesting to have them replaced;
- Electronically recording meetings and conversations without the prior knowledge or consent of other people involved. Any recordings that are made should not be shared with third parties;
- Submitting falsified documents from themselves or others;
- Refusing to accept a decision; repeatedly arguing points with no new evidence
- Persistently seeking an outcome which Habinteg has already explained is unrealistic for policy, legal or other valid reasons;
- Making an unreasonable number of contacts with Habinteg, by any means, in relation to a specific complaint or complaints; and
- Harassing or verbally abusing or otherwise seeking to intimidate staff dealing with the complaint.

In these instances, Habinteg reserves the right to refuse to deal with complaints or to deal with them in a different manner. Where serious issues are raised, we will always investigate and take appropriate action.

Imposing Restrictions

Warning – Level 1

Investigating manager will consult with Business Support Manager prior to issuing a warning to the complainant. The manager will contact the complainant in writing to explain why the behaviour is causing concern and ask the customer to change their behaviour.
Final Warning – Level 2

Head of service to issue a final letter to the complainant, advising them that the way in which they engage with Habinteg in the future will be restricted and the Head of Service will decide on the appropriate future channels on a case by case basis.

Any restriction placed upon the complainants contact with Habinteg will be appropriate and proportionate and they will be advised of the period of time that the restriction will be in place for. All instances where such restrictions are placed on a complainant will be reported to Executive Management Team.

7. How To Complain

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<tr>
<th>In writing</th>
<th>Chapman House, Adwalton Business Park, 132 Wakefield Road, Drighlington, Bradford, BD11 6BW</th>
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<tbody>
<tr>
<td>By email</td>
<td><a href="mailto:direct@habinteg.org.uk">direct@habinteg.org.uk</a></td>
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<td>Through the website</td>
<td><a href="https://www.habinteg.org.uk/online-feedback-form">https://www.habinteg.org.uk/online-feedback-form</a></td>
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Complainants are able to seek assistance from Habinteg staff if they anticipate difficulties in reporting a complaint.

Complainants are expected to use the channels listed above. We will deal with all complaints that we receive, however, where correct channels are not followed, this may delay the response time.

8. The Complaints Process

Front Line Resolution / Initial Complaint

For all formal complaints, where Habinteg is unable to respond within the 10 day timeframe, a holding letter will be issued advising of the new timeframe for response.

We will seek to resolve complaints at first point of contact to achieve swift and satisfactory resolutions for service users. Standard customer service standards of issuing a response within 10 days will apply. Where complaints are dealt with at first point of contact and are not expected to escalate, they will be recorded on CRM as an initial complaint.

All complaints received via the specified route will be reviewed by Business Support to confirm if they will be dealt with at initial stages or brought straight into the formal process. This decision will be based upon the severity of the issue, whether the complainant has had difficulty engaging at initial stages and where initial stages have been exhausted but the tenant remains dissatisfied.
Where a complaint is made at formal stages against a member of staff, this will be investigated and responded to by their line manager at stage 1 and then by an appropriate manager at further stages.

**Stage 1**
On receipt of a Stage 1 complaint, an acknowledgement slip will be sent within 2 working days and aim for a full response within 10 working days. Where this cannot be met, a holding letter will be issued to explain to the tenant why this is the case. Following this stage, the complainant then has four weeks in which to escalate the complaint. Should nothing further be received, Habinteg will assume that the complainant has accepted the decision and the complaint will be closed.

Stage 1 is the initial formal stage and will be investigated by a relevant and competent member of staff. (see process maps)

**Stage 2**
On receipt of a Stage 2 complaint, an acknowledgement slip will be sent within 2 working days and a full response within 10 working days. Following this stage, the complainant has four weeks in which to escalate the complaint to the next stage. Otherwise, Habinteg will assume that the complainant has accepted the decision.

The Stage 2 investigation will revisit the original complaint and review the Stage 1 investigation and response.

The head of the relevant service will lead the investigation (see process maps)

The Director of Operations will review all stage 2 responses prior to their issue and be allowed 72 hours to do so.

**Stage 3**
The Stage 3 hearing is to:

- Review the management investigation and subsequent decision at Stages 1 and 2; and
- Ensure that the Complaints Policy has been followed throughout the process

This stage will be heard by a panel meeting chaired by a Habinteg Board Member, the Chief Executive Officer and tenant representative with the complainant. The Director of Operations will be in attendance in an advisory capacity if required.

The panel will convene within 20 working days of the request to proceed to Stage 3 and the response to the complainant will be issued within 5 working days after the hearing. If the one tenant representative is unable to attend the panel hearing due to unforeseen circumstances, the complaint with be heard by the remaining two panel members.
Depending on the complexity of the matter and the geography that may be involved, this panel hearing can be conducted face to face, email exchanges or a video conference as appropriate and as decided by the chair of the panel in conjunction with the complainant.

9. Monitoring and Review

9.1 Habinteg will keep a record of all complaints and findings and regularly undertake lessons learnt exercises. This activity will be subsequently documented and a biannual report on complaint performance being reviewed by the board and periodically by the Tenants Panel.

The Complaints Policy will be reviewed every 5 years.

10. Other Related Documents

- Anti-social behaviour procedure
- Flagged Clients’ guidelines and procedure

11. Training

10.1 All Board members and staff involved in the complaint process will be provided with training in the Complaints Policy.

12. Legislation / regulation

11.1 Habinteg are required under the Regulatory framework to have in place an effective Complaints policy. We have a three stage policy, with stage 3 being a panel consisting of a Board member and an independent tenant representative.

13. The Housing Ombudsman Service

12.1 The decision of the stage 3 Panel will be communicated to the complainant and will advise of their right to refer the complaint to the Housing Ombudsman Service as it may only consider a case when the internal complaints procedure has been exhausted.

The Housing Ombudsman Service is an independent body set up to look at complaints about ‘registered’ housing providers. The service is free and impartial. In order to consider a complaint, the Ombudsman will require a complainant to have exhausted Habinteg’s internal complaints procedure.

Housing Ombudsman Service

@HousingOmbuds
12. Related policies

- Compensation policy
- Anti-Social Behaviour Policy
- Flagged Clients Policy