

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 feedback 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.

2. Scope

- 2.1. The Complaints Policy is accessible to those who receives a service from us or who represents such a person. Examples include:
 - Tenants, service users, ex-tenants
 - Applicants for re-housing
 - Partnership agencies managing property in conjunction with Habinteg
 - Contractors or consultants

All complaints must be made in writing or via email. Tenants are able to seek assistance from Habinteg if they anticipate difficulties in this regard.

3. Policy statements

- 3.1. Habinteg will follow the resolution principles laid out by the Housing Ombudsman:

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
- 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
- The tenant is put back in the position they would have been in if there had been no service failure

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- Financial compensation is considered if the tenants position cannot be restored (see compensation policy)
- 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
- 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:

- Done something wrong
- Failed to follow our policies or procedures
- Failed to do something that we should have done
- Done something that we should not have done
- 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
- An appeal against action resulting in court proceedings or matters subject to on-going 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 circumstances.

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:-

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- Repeated complaints on an issue where the complaints procedure has been fully implemented and exhausted
 - Continual changes to the substance of the complaint
 - Unwillingness to accept documented evidence
 - Threatened or actual physical violence or abuse towards staff, their families or associates
 - Persistent approaches to several staff in the organisation at the same time about the same issues
- 6.2. In these instances, Habinteg reserves the right to refuse to deal with complaints or to deal with them in a different manner.

7. The Complaints Process

Stage 1

On receipt of a Stage 1 complaint, an acknowledgement slip will be sent within 2 working days and a full response within 10 working days. Following this stage, the complainant then has eight weeks in which to escalate the complaint to the next stage. Otherwise, Habinteg will assume that the complainant has accepted the decision.

Stage 1 is the initial formal stage and will be investigated by a relevant and competent member of staff. If the complaint relates to housing management, the investigating officer will be a housing manager. If the complaint relates to asset management or maintenance, then the complaint will be investigated by the relevant maintenance manager.

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 eight 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 the response.

At this stage, housing management related complaints will be investigated by an Operations Manager and asset management complaints by the Head of Asset Management.

Stage 3

The Stage 3 investigation is to:

- Review the management decision at Stage 2

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- Ensure that the Complaints Policy and Procedure has been followed throughout the process

This stage will be heard by a panel meeting chaired by a Habinteg Board Member with two tenant representatives with the complainant. The Director of Operations will be in attendance in an advisory capacity.

The panel will convene within 40 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. Where only one tenant representative is able to attend the panel hearing due to unforeseen circumstances, the complaint will be heard by the remaining two panel members.

Depending on the complexity of the matter and the geography that may be involved, this meeting can be either face to face, email exchanges or a video conference as appropriate and as decided by the chair of the panel.

8. Monitoring and Review

- 8.1 Habinteg will keep a record of all complaints and findings and regularly undertake lessons learnt exercises. This activity will be subsequently documented with recommended actions reported to and monitored by Homes and Services Committee on a 6 monthly basis.

The Complaints Policy will be reviewed every 3 years.

9. Training

- 9.1 All Board Members and staff will be provided with training in the Complaints Policy.

10. Legislation / regulation

- 10.1 Habinteg are required under the regulatory framework to have in place an effective complaints procedure. We have a three stage procedure, with stage 3 being a panel consisting of a board member and two independent tenant representatives.

11. The Housing Ombudsman Service

- 11.1 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 normally require a complainant to have exhausted Habinteg's internal complaints procedure.

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12. Related policies

- Compensation policy
- Flagged clients procedure

NB. This document encompasses both the policy and associated procedures

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