



Complaints Policy

Procedure owner/author:	Housing Director
Approved by:	Stoke on Trent Housing Society Board
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1. Policy statement

Stoke on Trent Housing Society aims to provide great homes and a high-quality customer focussed service to its customers. It recognises however that occasionally things may go wrong, and our performance or services will not meet our customers' expectations, resulting in a complaint.

This policy aims to provide customers and staff with clear guidance on complaints, ensuring that complaints are dealt with in a fair and consistent manner. It also aims to ensure that we use all feedback from complaints as an opportunity to learn, put things right and to improve services.

The Society has developed this policy in line with dispute resolution principles recommended by the Housing Ombudsman in their Complaint Handling Code, which are to:

- Define a complaint.
- Ensure accessibility and awareness.
- Ensure responsibility, process, and timeliness.
- Fairness in complaint handling.
- Put things right.
- Continuous learning and improvement

2. Definition of a complaint

A complaint is defined as ***an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by Stoke on Trent Housing Society, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.***

The word 'complaint' does not have to be used for a complaint to be identified and treated as one.

We will encourage customers to get in touch with us straight away if something has gone wrong and to give us the opportunity to put it right. This is often the quickest and easiest way to achieve a satisfactory outcome. If we cannot resolve the problem informally within an agreed timescale, or if the issue is complex or significant, or if the resident requests it, we will record and investigate it as a complaint.

3. Who can make a complaint?

The person affected by the action can make a complaint, or they can give consent for somebody else to act on their behalf.

Complaints can also be made by Designated Persons as defined by the Localism Act 2011. A Designated Person can be an MP, a local councillor, or a tenant panel member. They can also intervene on the persons behalf, to help to resolve a complaint.

A complaint that is submitted via a third party or representative will still be handled in line with our complaints policy.

4. Circumstances not covered by the complaints policy (exclusions)

There are certain types of complaints that are not covered by this policy. They are:

- Anonymous complaints.
- A complaint that has already been fully investigated in line with this policy.
- When the issue took place more than six months ago
- Where legal proceedings have already commenced, or the complaint is being dealt with as an insurance claim.
- A complaint made by an employee about any matter relating to their employment.
- A resident complaining about the behaviour of another resident – this would be dealt with under the Society's Anti-Social Behaviour (ASB) Policy. Only where the Society fails to respond adequately to the report of ASB, would this be dealt with under the Complaints policy.
- A request for service, for example a repair. However, if the resident subsequently feels the need to complain about the service they have received, this would be dealt with under the Complaints policy.
- Where the complainant refuses to reasonably engage with the Society and or the process after making the complaint, is abusive to staff or acts unreasonably.

The Society reserves the right to refuse to deal with complaints, or to deal with them differently, if they are pursued unreasonably or could be handled more effectively in a different manner.

We will exercise our discretion appropriately and make sure that any decision to exclude a complaint is fair and valid and that the reasons for the decision are clearly explained to the resident. In such cases the resident will be provided contact details for the Ombudsman so that any decision taken to exclude a complaint can be challenged.

Any decision not to progress a complaint to the next stage or to deal with it differently from the Complaints policy and/or procedure will be made by the Housing Director in conjunction with the Society's Company Secretary.

5. Making a Complaint

The Society will give customers clear information about how they can make a complaint, detailing the stages involved, what happens next and the timeframe involved. This information will be available via the Society's website, newsletters and as part of the Society's regular correspondence with residents.

Complaints can be made in person, by phone, by e-mail, by letter, by social media or via the Society's website. Where social media is used to make a complaint, the Society will ensure that confidentiality and privacy is maintained by establishing a personal, one to one discussion platform with the complainant.

Where requested, the Society will assist the complainant to submit their complaint or we may suggest contacting someone independent to assist in making a complaint. We will also tell customers about other steps that they can take if they think that their complaint is not resolved.

All letters and telephone calls raising complaints directly with any Society Board Members will be forwarded to the relevant service manager to deal with as per this policy. This will ensure that residents receive an equal service and do not bypass the complaints process.

Complaints received through signed petitions will be treated in the same way as all other complaints. Where it would be helpful, a meeting will be held to discuss the complaint with the petitioners as well as responding to the individual signatories and/or all residents affected by the issue raised.

At all times, the Society will maintain the confidentiality of complainants and the content of their complaints and only those Society staff that are designated to do so, will investigate complaints.

6. Putting things right

Where a mistake has been made there will be several ways that the Society will try to put it right. This includes:

- Making an apology and acknowledging where things have gone wrong.
- Reviewing a decision, we have already made.
- Acting where there has been a delay.
- Reviewing our policies, procedures, or practices.
- Amending a record.
- Considering and advise on financial compensation.

Cases will be considered on their own merits and the most suitable remedy to resolve the issue will be offered including taking steps to put things right and learning and making service improvements.

7. Complaints process

The Society will keep customers regularly updated on the progress of their complaints and will follow a two-stage complaints process detailed as **Stage 1 and Stage 2**.

Stage 1

We aim to resolve all complaints at this stage. We will **acknowledge** the Stage 1 complaint within **five working days** of receipt of the complaint and pass it on to the relevant service manager to investigate, doing what we can to resolve the matter straight away. Where possible we will call the complainant to discuss how we can work to resolve their complaint.

A **formal response** will be sent to the complainant within **10 working days** from the day the complaint was received. If the investigation is going to take longer, we will let the complainant know within 10 days of the complaint being received, with the reasons for the delay and to advise when a full reply will be expected (this will not exceed a further 10 working days without good reason).

Our response will include:

- The outcome of the complaint along with the reasons for the decision.
- The details of any remedy offered to put things right.
- Details of any outstanding actions.
- How to escalate the matter if not satisfied.

Stage 2

Where the complainant is not happy with the resolution/decision made at Stage 1 they can request a review of the original investigation. The complainant will need to explain how their complaint meets one of the following criteria:

- The issue was not properly addressed at Stage 1 of the process.
- There was something inaccurate in the response given to them.
- They have new information or evidence to give to us, that was not available originally.

This will need to be done as soon as possible and preferably **within 20 working days** of our response to the Stage 1 complaint.

We will **acknowledge** the stage 2 complaint within **five working days** and pass it to the Housing Director to investigate. The Housing Director will review the initial investigation to ensure it was thorough and that it followed our complaints policy and procedure. If they are satisfied that it did, the original decision will be upheld. We will **respond** to the complainant fully within **20 working days** from the day their stage 2 complaint was received to confirm our decision.

If the investigation is going to take longer, we will contact the complainant to let them know within 20 days of the complaint being received, with the reason for the delay and to tell them when they can expect a full reply. This should not exceed a further 10 working days without good reason. This is the end of our internal complaints process.

Where the Housing Director has dealt with the stage one complaint, the stage 2 complaint will be dealt with by the Company Secretary.

After Stage 2

A complainant can contact the Housing Ombudsman Service, at any time, although in most instances, the Ombudsman will request the customer exhausts the Society's Complaint Policy first. This is an independent, impartial and free service. The Ombudsman will decide if the complaint is appropriate for them to consider. Their contact details are:

- Phone: 0300 111 3000
- Complaint correspondence: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ
- Email: info@housing-ombudsman.org.uk
- www.housingombudsman.org.uk

As well as the above a complainant may also wish to contact their Local Councillor or MP who may be able to help to resolve the complaint locally.

In addition to all of the above, any reasonable arrangements in relation to frequency of contact and methods of communication will be agreed with the complainant throughout the receipt and investigation process.

The Society will comply with all recommendations made by the Housing Ombudsman Service.

8. Unreasonable complaints

Occasionally, the Society may be contacted by a customer who makes abusive/aggressive*, unreasonably persistent or repetitive complaints. These may be characterised by:

- Repeated complaints on an issue where the complaints procedure has already been fully implemented and exhausted.
- Unwillingness to accept documented evidence.
- Threatened or actual physical violence or verbal abuse towards staff or their families or associates.

*abusive/aggressive behaviour is defined as an incident in which employees feel they have been verbally used, threatened, or attacked in circumstances relating to their duties.

In these instances, the Society reserves the right to refuse to deal with complaints, or to deal with them in a different manner. This may include referring the complainant to an advocate/designated person to act on their behalf. See our Unacceptable Behaviour Policy.

9. Learning from complaints

When a complaint is resolved, we will identify any learning opportunities and feed these into service improvements.

Complaints and any improvements will be reported to the Society Board each quarter, along with details of any trends or themes that have been identified and the steps that have been taken to address these.

10. Policy review

This policy will be reviewed in line with changes in law or business requirements.

11. Equality, diversity and inclusion

Stoke on Trent Housing Society is committed to making sure policies and services reflect the community it serves and that they support equal opportunities. Our aim is to make the Complaints policy easy to use and accessible to all our customers in line with the Equality Act 2010. This policy details the multiple ways that a complaint can be made, including via an advocate. This will help to remove barriers and ensure fair and equal access to the process for all customers.

We will take reasonable steps to accommodate any reasonable adjustments a complainant may have to enable them to access this policy or receive responses to complaints in other formats and provide such assistance as may reasonably be required.