

## Complaints Policy

Procedure owner/author:	Housing Director
Approved by:	Stoke on Trent Housing Society Board
Date approved:	June 2024
Next review date:	June 2025

### 1. Policy statement

1.1 Stoke on Trent Housing Society (the Society) provides decent 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 dissatisfaction and a complaint.

1.2 This is the Society's policy in relation to Complaints and aims to provide residents 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.

1.3 The Society has developed this policy in accordance with **the Housing Ombudsman's statutory Complaints Handling Code** and dispute resolution principles, which are:

- To be fair.
- Put things right.
- Learn from outcomes.

1.4 The Society will embrace complaints through increased transparency, accessibility, and complaint handling governance, demonstrating that its residents are core to its service delivery and that good complaint handling is central to that.

1.5 Residents will not be treated differently if they complain, indeed their feedback will be seen as an opportunity to have an open and honest dialogue and the Society will do everything that they can to ensure that the resident has a positive experience of the process.

1.6 Complaints or concerns in relation to the safety of Stoke on Trent Housing Society's high-rise buildings or Stoke on Trent Housing Society's performance around Building Safety management, will be dealt with as per our Building Safety Complaints Procedure.

### 2. Housing Ombudsman's Statutory Powers

2.1 The Social Housing (Regulation) Act 2023 empowered the Housing Ombudsman to issue a code of practice about the procedures members of the Scheme should have in place for considering complaints against them. It also placed a duty on the Ombudsman to monitor compliance with the code of practice. The statutory Complaint Handling Code became effective on 1<sup>st</sup> April 2024.

2.2 The Ombudsman will monitor compliance in three ways, ensuring the Landlord:

- Has scrutinised and challenged its compliance with the Code, complaints handling performance and learning from complaints at its governing body and published the outcome on its website.
- Complies with the Code in policy, and that any deviations are explained and are reasonable.
- Complies with the Code in practice.

2.3 Where a landlord does not meet the requirements in any of the areas and does not move into compliance within a reasonable timescale, the Ombudsman will issue a Complaint Handling Failure Order (CHFO) and publish this.

### 3. Definition of a complaint

3.1 A service request is a request from a resident to the Society requiring action to be taken to put something right. Service requests are not complaints; however the Society will always record these via their housing management system in order to monitor and review them on a regular basis. In contrast to a service request a **complaint** is defined as:

***an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.***

3.2 The word 'complaint' does not have to be used for a complaint to be identified and treated as one. Whenever a resident expresses **dissatisfaction** the Society will give them the choice to make a complaint.

3.3 Where the handling of a service request remains ongoing, if the resident is dissatisfied and wishes to make a complaint, this will be dealt with as per our Complaints policy and the Society will continue to deal with the service request.

3.4 An expression of dissatisfaction with services made through a survey will not be defined as a complaint, though wherever possible, the person completing the survey will be made aware of how they can pursue a complaint if they wish to.

3.5 An expression of dissatisfaction with services made through a survey is not defined as a complaint however where the Society asks for wider feedback about services, for example the Tenant Satisfaction Measures Survey, details of how residents can complain should they wish to do so, will be provided.

3.6 A complaint that is submitted via a third party or representative will be handled in line with the Society's complaints policy.

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

4.1 The Society will not take a blanket approach to excluding complaints and will always consider the individual circumstances of each complaint.

4.2 Complaints will generally not be considered as a complaint nor escalated where there is a valid reason to do so, and it is fair and reasonable. If the Society decides not to accept a complaint, we will evidence our reasoning. Each complaint will be considered on its own merits. Our exclusions include:

- The issue giving rise to the complaint occurred over twelve months ago (however the Society will consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so).
- Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
- Matters that have previously been considered under the complaints policy.

4.3 Where the Society decides not to accept a complaint, an explanation will be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the Society to take on the complaint.

4.4 Anonymous complaints will not be dealt with under this policy however where there is sufficient information, an investigation will be carried out to decide where any action might need to be taken.

4.5 In most cases the Society will have an excellent working relationship with residents and will deal with their complaints as per this policy. Occasionally, however, there may be incidents where residents may, for whatever reason, behave unreasonably which makes it difficult for staff to provide the standards of service that are expected. An Unacceptable Behaviour Policy is in place which explains the reasons where any restrictions may need to be put in place and how and when these are reviewed. These restrictions are proportionate and demonstrate regard for the provisions of the Equality Act 2010.

## 5. Accessibility and Awareness

5.1 Residents can raise a complaint to the Society in any way and to any member of staff. Ways to do this might include:

- Email [info@stokeontrenthousingsociety.org.uk](mailto:info@stokeontrenthousingsociety.org.uk)
- Whatsapp 07876897172
- Facebook (send us a private message)
- Our website [www.stokeontrenthousingsociety.org.uk](http://www.stokeontrenthousingsociety.org.uk)
- Telephoning the Society on 01782 968566
- In person at our Trevor Jones Office, Hammond House, Hanley ST1 3AX.
- Speaking to one of our officers as they walkabout the schemes.

(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.)

5.2 Help and assistance will always be made available to residents who would like support with any of the above access channels and to make their complaint. Additionally, residents may nominate a representative to deal with a complaint on their behalf and to be represented or accompanied at any discussion or meeting with the Society.

5.3 Our complaints policy will be available to all residents via our website. In addition, leaflets explaining the process, including what will happen at each stage of the process and timescales for responding will be available electronically and in paper format.

5.4 When new residents sign for a tenancy of the Society they will be given information on how to raise a complaint.

5.5 The Society will regularly publicise details of our Complaints Policy via:

- Resident Newsletter, which is issued to residents a minimum of twice yearly.
- Rent increase letters, which are issued each year in March.
- Tenant Satisfaction Surveys

- Any general campaigns that the Society delivers to residents, for example Building Safety Communication, Consultation on projects.

5.6 During our annual tenancy visit programme residents will also be given the opportunity to provide feedback on Society services and officers will provide information on our complaints process.

5.7 All of the information that we provide to residents in relation to our Complaints Policy will include details of the Ombudsman including:

- A resident's rights to access the Ombudsman Service once they have completed the Society's complaint's process.
- The service that the Ombudsman provides.
- Their Complaint Handling Code.
- How to engage with the Ombudsman about their complaint.

## 6. Complaint Handling (Staff)

6.1 The Society's dedicated **complaints officer** who takes responsibility for complaint handling is the **Housing Director**. They are responsible for liaising with the Ombudsman and ensuring that complaints are recorded, monitored, and reported to the Society's Board during each quarterly Board meeting. They will also lead on the assessment of any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision or introduction.

6.2 The **complaint handler**, the person who will take responsibility for investigating the complaint and providing a response to the resident, dependent on service area will be the Head of Property, the Senior Housing Officer or in some circumstances the Housing Director

6.3 The **complaints officer** has access to all service areas of the Society, including the staff that are responsible for delivering these services. The complaints officer also has the authority to ensure that complaints are resolved promptly and fairly and that systems are in place to deal with complaints and that the Society complies with Ombudsman's Code of Guidance.

6.4 Complaint handling is a core service for the Society, including learning from complaints. All Society staff will receive training on the Society's Complaints Policy and process, including the Ombudsman's role and Code of Guidance. New employees of the Society will also receive this training as part of their induction.

6.5 Staff will also be updated regularly at team briefings on learning outcomes and where the Ombudsman might make any changes to its Code of Guidance, further complaints training will be provided.

6.6 Complaints and learning will be discussed during the Society's Management Team monthly performance meetings and during individual 121's. In addition, the Society's performance appraisal process will include the following objectives regarding complaints, which will be reviewed with each member of staff during their appraisal:

- Takes collective responsibility for any shortfalls identified through complaints, rather than blaming others.
- Has a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams.
- Acts within the Housing Ombudsman's professional standards for engaging with complaints.

6.7 All Society managers will be provided with Housing Ombudsman press releases and newsletters to encourage learning from others.

## 7.0 Complaint Handling (Process)

7.1 The Society's complaints process is a simple two stage process, there is no informal complaints stage. By keeping the process to two stages this ensures that the process is timely and that residents are not delayed in accessing the Ombudsman's Services.

7.2 The Society will deal with all resident complaints and will not use any third-party, for example a contractor, to provide this service. Should this situation change at any point in the future the Society will ensure that any third-party handles Society complaints in line with the Code of Guidance.

7.3 When a complaint is logged, either at stage one or stage two of the process the Society will always:

- Set out to the resident their understanding of the complaint and the outcomes that the resident is seeking.
- Clarify which aspects of the complaint they are, and are not, responsible for, and clarify any areas where this is not clear.

Standard Letter templates will be used by our complaint handlers to ensure they follow this standard.

7.4 At each stage of the complaints process our complaint handlers will:

- Deal with complaints on their merits, act independently and have an open mind.
- Give residents a fair chance to set out their position.
- Take measures to address any actual or perceived conflict of interest.
- Consider all relevant information and evidence carefully.
- Consider at all stages of the process whether the complaint can be remedied without need for further escalation.

7.5 Where a response to a complaint might fall outside the timescales set out in this policy, we will agree with the resident suitable intervals for keeping them informed of their complaint.

7.6 All complaints will be recorded electronically within the Society's case management system in Rubixx. Any correspondence related to the complaint, alongside supporting documents will be stored within the electronic case file. Our case management system will record each stage of the complaint process, including outcomes, and will provide the case handler with target timescales for each stage, standard letter templates, and guidance on each stage of the process.

## 8. Complaints Stages

8.1 The Society understands that most complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident. Society complaints will be triaged to see which complaints can be responded to as early as possible and which require further investigation. To do this we will consider the complexity of the complaint and whether the resident is vulnerable or at risk.

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

### STAGE 1

8.3 **Stage 1** (We aim to resolve all complaints at this stage). We will **acknowledge and define** the Stage 1 complaint **within five working days** of receipt of the complaint. The complaint will be electronically recorded within our case management system and passed to the relevant case handler to investigate, doing what we can to resolve the matter straight away. Where possible we will contact the resident to discuss how we can work to resolve their complaint.

8.4 A **formal response** to the stage 1 complaint will be sent to the resident within **10 working days** from the day the complaint was acknowledged. If the investigation is going to take longer due to the complexity of the complaint, we will let the resident know of the expected timescale for response. Any extension will be no more than 10 working days without good reason, and the reasons for the delay will be clearly explained.

8.5 Our Stage 1 completed response will be provided to the resident when the answer to the complaint is known and not when the outstanding actions required to address the issues/s are completed. All points raised in the complaint will be addressed alongside clear reasons for any decisions. Where appropriate relevant policy, law and good practice will always be referenced.

8.6 Our responses will be written in clear, plain language and will include:

- The complaint stage.
- The complaint definition.
- The decision on the complaint.
- The reasons for the decisions that we have made.
- The details of any remedy offered to put things right.
- The details of any outstanding actions.
- Details of how to escalate the matter to Stage 2 if the resident is not satisfied with the response.

8.7 Where resident's may raise additional complaints during our investigation, these will be incorporated into stage 1 of the complaints process where they are related to the original complaint and the stage 1 response has not yet been issued. Where a stage 1 response has already been issued, the new issues are unrelated to the issues already being investigated or where it would unreasonably delay a response, the new issues will be logged as a new complaint.

## **STAGE 2**

8.8 If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, the Society will progress the complaint to **Stage 2**, which is our final response in our complaints process. The officer considering the complaint at this stage will not be the same person that considered the complaint at stage 1.

8.9 We will **acknowledge and define** the Stage 2 complaint **within 5 working days** of the escalation being received.

8.10 The Society will not require residents to explain their reasons for requesting a stage 2 consideration as we will make our own reasonable efforts to understand why a resident remains unhappy.

8.11 A **final response** to stage 2 complaints will be sent to the resident within **20 working days** from the day the stage 2 complaint was acknowledged. If the investigation is going to take longer due to the complexity of the complaint, we will let the resident know of the expected timescale for response. Any extension will be no more than 20 working days without good reason, and the reasons for the delay will be clearly explained.

8.12 Our Stage 2 completed response will be provided to the resident when the answer to the complaint is known and not when the outstanding actions required to address the issues/s are completed. All points raised in the complaint will be addressed alongside clear reasons for any decisions. Where appropriate relevant policy, law and good practice will always be referenced.

8.13 Our responses will be written in clear, plain language and will include:

- The complaint stage.
- The complaint definition.
- The decision on the complaint.
- The reasons for the decisions that we have made.

- The details of any remedy offered to put things right.
- The details of any outstanding actions.
- Details of how to escalate the matter to the Ombudsman Service if the resident remains dissatisfied.

8.14 Stage 2 will be the Society's final response and any investigation and response will involve all relevant staff members needed to issue a response.

## 9. Putting things right

9.1 Where a mistake has been made or something has gone wrong the Society will acknowledge this and set out the actions it has already taken, or intends to take, to put things right. Any remedy offered will reflect the impact on the resident because of any fault identified. These might include:

- Making an apology and acknowledging where things have gone wrong.
- Providing an explanation, assistance, or reasons
- Acting where there has been delay.
- Reconsidering or changing a decision.
- Amending a record or adding a correction or addendum.
- Changing policies, procedures of practices.
- Providing a financial remedy.

9.2 Any remedy offered by the Society will clearly set out what will happen and by when and in agreement with the resident where appropriate. The Society will also ensure that any remedy proposed will be followed through to completion and that guidance issued by the Ombudsman will be considered when deciding on appropriate remedies.

## 10. Self -Assessment, reporting and compliance

10.1 Every year the Society will produce an **annual complaints performance and service improvement report** for the purpose of scrutiny and challenge. It will be reported to the Society Board for a formal response and the report, alongside the Board's response, will be published on our website.

10.2 The annual complaints performance and service improvement report will include:

- Our annual self-assessment against the Ombudsman's Code to ensure that this policy remains in line with requirements.
- A qualitative and quantitative analysis of our complaint handling performance. This will include a summary of any types of complaints we have refused to accept.
- Any findings of non-compliance that the Ombudsman has found with the Society.
- The service improvements made because of learning from complaints.
- Any annual report about the Society's performance from the Ombudsman.
- Any other relevant reports or publications produced by the Ombudsman in relation to the work of the Society.

10.3 In the event that the Society is part of a significant restructure, merger and/or change in procedures a new self-assessment will be completed. A new self-assessment may also be necessary following any Ombudsman investigation.

10.4 Should the Society be unable to comply with the code due to exceptional circumstances, such as a cyber incident, we will inform the Ombudsman, provide information to residents who may be affected, and publish this on our website. In this event the Society would also provide a timescale for returning to compliance with the code.

## 11. Scrutiny and continuous learning and improvement

11.1 The Society understands that complaints must be used as a source of intelligence to identify issues and introduce positive changes in service delivery. When dealing with and reviewing complaints the Society will always look beyond the circumstances of the individual complaint and will consider where any service improvements can be made because of any learning from the complaint.

11.2 Learning and improvements from complaints will be reported back to stakeholders as follows:

- Residents – the Society website, resident newsletter, resident group meetings
- Staff - management team monthly performance meetings, team brief meetings, during individual 121's and performance appraisals.

11.3 To support a positive complaint handling culture within the Society a member of the Society's Board will be appointed as the **Member Responsible for Complaints (MRC)**. The MRC will be responsible for ensuring that the Society Board receives regular information on complaints that provides insight on the Society's complaint handling performance.

11.4 The MRC and the Board will receive the following information via their Board meetings:

- Regular updates on the volume, categories, and outcomes of complaints, including complaint handling performance.
- Regular reviews of issues and trends arising from complaint handling.
- Regular updates on the outcomes of any Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings.
- The Society's annual complaints performance and service improvement report.

## 12. Policy self-assessment and review

12.1 The Society will annually complete a self-assessment against the code, engaging the Board in this process and publishing the outcome to residents.

12.2 Where the self-assessment identifies any required changes to this policy these will be made accordingly and approved by Board.

## 13. Equality, diversity and inclusion

13.1 Stoke on Trent Housing Society is committed to making sure policies and services reflect the community it serves and that they support equal opportunities in line with the Equality Act 2010.

13.2 Our aim is to make this Complaints policy easy to use and accessible by providing different access channels through which they can make a complaint and making reasonable adjustments for residents who may need to access the complaints process. This policy (section 5) 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.

13.3 The Society records any disabilities that a resident might disclose within its housing management system, Rubixx. The complaint handler will always refer to and consider this information to ensure that the resident has the relevant measures or adjustments made when dealing with a complaint. These adjustments will be kept under active review.

13.4 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.