

Complaints Policy

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Approved by	Board of Trustees
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Author	Head of Housing
Equality Impact Assessment	Completed and attached
Compliance Checks	<ul style="list-style-type: none"> • Annual report to board • Regular compliance checks by managers
Relevant policies and procedures and reference documents	<ul style="list-style-type: none"> • Social Housing Regulatory Framework • Equality Act 2010 • Data Protection and Confidentiality Policy • GDPR • Ombudsman's Complaints Handling Code
Distribution	All

Purpose and Scope

My Space Housing Solutions is committed to providing excellent services however we realise that things can occasionally go wrong. Where this happens, it is important for our customers to be able to tell us so that we can address these concerns.

The purpose of this policy is to ensure that our residents, service users and any person or group of people who are affected by an activity or service carried out by the Association can raise their complaint and have it thoroughly investigated and resolved in a timely manner.

The Association welcomes complaints as a means of identifying recurring problems and areas of policy and practice requiring improvement. This policy outlines the way complaints will be managed within the Association. It defines what we mean by a complaint, the action we will take to resolve complaints and the way we will ensure and monitor the service improvements we need to make or good practice we can share.

Defining a Complaint

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents. My Space will take all expressions of dissatisfaction seriously, whether they are offered as comments, or whether they are raised informally or formally through this policy. The word 'complaint' does not need to be used for it to be treated as such. If further enquiries are needed to resolve the matter, or if it is requested, the issue must be logged as a complaint.

A landlord must accept a complaint unless there is a valid reason not to do so. If a landlord decides not to accept a complaint, a detailed explanation must be provided setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.

Complaints are different to everyday enquiries such as reporting repairs or reporting anti-social behaviour. Examples of a complaint can include where the Association has:

- Failed to do something that should have been done
- Failed to meet service standards
- Treated a customer unfairly
- Made a mistake
- Not carried out a repair properly

Exclusions

Some problems are not covered by this complaints policy. These include situations like:

- A request for a service that is made for the first time. For example, if you report your neighbours for making a noise this will be referred to the service as a service issue, however should we fail to investigate your noise complaint then it becomes a formal complaint under this policy.
- Appeals against decisions such as issuing a warning or an allocation decision. These will be dealt with under the relevant appeals processes
- Complaints about other tenants, noise, harassment or other neighbour disputes. These will be dealt with under our anti-social behaviour policy

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- Complaints or concerns that relate to a safeguarding issue such as abuse or neglect. This will be dealt with through our safeguarding processes
- 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.
- Any issue that has previously been addressed through this policy

Confidentiality and anonymous complaints

We will respect the confidential nature of the complaints we receive and if the complainant asks us not to speak to particular individuals we will respect their wishes but this may restrict our ability to resolve the complaint

In keeping records about complaints and any access to our complaints register we will comply with relevant data protection requirements under the general data protection Regulations

Where complaints are made anonymously we will investigate wherever possible however without specific details this may not always be possible although we will always record such complaints.

My Space has a zero tolerance approach to victimisation of complainants and customers can be assured that they will not be treated in a negative way as a result of making a complaint.

Group complaints

Occasionally the same complaint may be made by a number of people. A group complaint will be dealt with using the same process as a complaint made by one person. In these circumstances, where it is appropriate we will communicate with the “lead complainant” if one is identified.

Support for people wishing to complain

A leaflet outlining the complaints policy and procedure is available and can be made available in different formats on request.

My Space will work with family members and other advocates such as social workers or the CAB in order to resolve a complaint. Complainants are also able to speak with the Housing Ombudsman for support during the process of a complaint.

Complaints made via social media will be treated in the same way as complaints made directly to the organisation. To maintain confidentiality, public posts on social media sites may be removed once details have been taken.

Timescales

A complaint will be logged and dealt with in the following way:

Investigation

- We will acknowledge all complaints within 5 working days.
- We will send a full written response within 10 working days of the receipt of the complaint. If an investigation requires longer than this, we will contact the complainant and keep them fully informed of the progress of their complaint and when they can expect a full response. This should not exceed 20 working days from receipt of the complaint without good reason.

Review

- If the complainant wishes to escalate the complaint, they have the right to do so within 30 days of the investigation conclusion.
- If the complaint is not satisfied and is escalated, we will send a response no later than 20 working days from the request to escalate. If a review requires longer than this, we will contact the complainant and keep them fully informed of the progress of their complaint and when they can expect a full response. This should not exceed 30 working days from request to escalate without good reason.

If there is good reason we may refuse to escalate a complaint further. The reasons for declining an escalation would be the same as those for declining to investigate a complaint as detailed in this policy above under 'Exclusions'.

The complaints policy and procedure stages are sequential, and any complaint will be dealt with fully under each stage. There is no option to skip to specific stages. We will only usually investigate complaints which were made within 12 months of the event which caused the complaint.

Housing Ombudsman Service

If a complaint has been through our internal complaints procedure and still not been resolved, customers have the right to ask their complaint to be looked at by the Housing Ombudsman. My Space will cooperate fully with the Housing Ombudsman and their timescales. Complainants can ask the Housing Ombudsman to assist with a complaint at any point throughout the process.

Contact details for the Housing Ombudsman are as follows:

Hyper Link: <https://www.housing-ombudsman.org.uk/contact-us/>

Email Address: info@housing-ombudsman.org.uk

Telephone Number: 0300 111 3000

Address: Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ

Monitoring and Learning from Complaints

Regular monitoring will take place by the management team to ensure that procedures are being followed. Reports will be provided to the CEO on a monthly basis. The reports will highlight:

- The number of complaints.
- The nature of complaints.
- Trends in the numbers and types of complaints and action taken or proposed to improve these areas of service.
- Areas of concern.
- Any compensation paid.

Performance indicators on complaints will also be provided to the Board quarterly and they will be notified immediately of any major complaints.

The number and type of complaints will be published in the Annual Report.

Random or specific customer satisfaction checks will be undertaken to ascertain whether complainants are satisfied with the way that their complaints have been handled.

Staff Training

Staff will be trained to ensure the proper implementation of the Complaints Policy and supporting procedures and this will be included in induction training for all new members of staff. Staff will be trained to adopt a positive attitude to customer feedback. They will be expected:

- To try to put things right quickly if this is within their power. If it is not, they will refer the matter to the appropriate person as outlined in the complaint's guidance.
- To give appropriate information to make it easy for someone to complain in a way that suits them

Persistent or Repetitious Complaints and Unacceptable behaviour

My Space wishes to respond positively to any concerns or complaints however very occasionally we may reject a complaint without a detailed investigation if we feel that it is deliberately repetitious. This is most likely to apply where the matter has been the subject of a previous complaint that has been dealt with to the best of our ability or the complainant is asking us to look at the same matter again

Relatively few of our customers behave in a way that is unacceptable or unreasonable however on occasions a complainant may behave in a way that is angry or aggressive towards staff. Where complaints result in a situation where My Space needs to protect staff from unacceptable behaviour such as unreasonable persistence or offensive behaviour from the complainant, the Association has adopted the Ombudsman's Unacceptable Actions Policy.

Unacceptable behaviour may result in a restriction of the contact the Association has with the complainant and threats or use of physical violence, verbal abuse or harassment may result in the incidents being reported to the police.

Review of this policy

Version 3.3 Sept 2023

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This policy will be reviewed where:

- There are significant changes to legislation or regulation
- There are found to be deficiencies in this policy as a result of complaints or findings from any independent organisations.

In any event this policy will be reviewed no later than 1 year from the effective date of this version

Equality Impact Assessment for this Policy

Is it likely that the policy could have a positive or negative impact on minority ethnic groups? What evidence (either presumed or otherwise) do you have for this?		N	Please explain
Is it likely that the policy could have a positive or negative impact due to gender (including pregnancy and maternity)? What evidence (either presumed or otherwise) do you have for this?		N	Please explain
Is it likely that the policy could have a positive or negative impact due to disability? What evidence (either presumed or otherwise) do you have for this?	Y		Please explain It is possible that due to learning difficulty or mental health concerns that the process for complaints may need to be adapted in order for the complainant to be able to put forward their complaint. The policy is for guidance and should be adapted as required to ensure this does not happen.
Is it likely that the policy could have a positive or negative impact on people due to sexual orientation? What evidence (either presumed or otherwise) do you have for this?		N	Please explain

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Is it likely that the policy could have a positive or negative impact on people due to their age? What evidence (either presumed or otherwise) do you have for this?		N	Please explain
Is it likely that the policy could have a positive or negative impact on people due to their religious belief (or none)? What evidence (either presumed or otherwise) do you have for this?		N	Please explain
Is it likely that the policy could have a positive or negative impact on people with dependants/caring responsibilities? What evidence (either presumed or otherwise) do you have for this?		N	Please explain
Is it likely that the policy could have a positive or negative impact on people due to them being transgender or transsexual? What evidence (either presumed or otherwise) do you have for this?		N	Please explain
Is it likely that the policy could have a positive or negative impact on people due to their marital or civil partnership status? What evidence (either presumed or otherwise) do you have for this?		N	Please explain

Can any adverse impact be justified on the grounds of promoting equality of opportunity for a particular group? (For example, the policy may be deliberately designed to promote equality for disabled people but may run the risk of this being at the expense of nondisabled people which is permissible under law).		N	Please explain
Has this policy been amended or developed in the last review in order to promote equality of opportunity for any particular group? (please note any changes made)		N	

Amendments made in accordance with changes in legislation.

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Has the policy been amended or developed to take account of changes in legislation, statutory guidance or accepted good practice?	Y		Amended as part of the self assessment from the Housing Ombudsman
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