COMPLAINTS POLICY

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COMPLAINTS POLICY

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COMPLAINTS POLICY

1.0 Statement

1.1 Radcliffe Housing Society (RHS) aims to provide customers with the best possible service at all times. However, we accept that there may be times when you may not be happy and wish to complain. If a customer complains we promise to treat the complaint seriously and investigate concerns fairly.

2.0 Aims

2.1 We will use a systematic approach to receiving, recording and responding to complaints made by our customers, to ensure that complaints are responded to efficiently, effectively and are learnt from.

2.2 This Policy sets out a consistent and fair approach to responding to complaints from residents, customers, and stakeholders, aiming to resolve issues at earliest opportunities.

3.0 Objectives

3.1 We operate a complaints process with 2 stages, covering issues relating to:

- A failure to comply with a policy, procedure or standards of service delivery
- A decision which the complainant believes is not fair or clear to them
- The behaviour of our staff or contractors

3.2 We will:

- Work collaboratively with partners and other agencies where necessary to coordinate comprehensive outcomes to the complaint
- Facilitate the effective and early resolution of complaints
- Analyse complaints to help improve services and service delivery
- Manage all complaints in an open and accountable way
- Annually report the number of all complaints to our residents, and share this data with the Housing Ombudsman

3.3 We've developed this Policy in accordance with the Housing Ombudsman's Complaint Handling Code, our statutory and legal duties, and residents' feedback. We will assess our compliance with the Complaint Handling Code by completing and publishing our self-assessment, against each provision of the Code.

4.0 What is a complaint?

4.1 We have adopted the definition from the Housing Ombudsman, which is outlined as:

"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."

4.2 Service requests
The Housing Ombudsman Service defines a service request as "a request from a resident to their landlord requiring action to be taken to put something right."

4.3 When you first let us know about your concern, at the start we will ask you what you would like us to do to put things right. We can often resolve service requests, such as a missed appointment immediately with an apology, and by providing another appointment. We may be able to resolve issues like this outside of our complaints process.

4.4 If we need to make further enquiries to resolve the matter, or if you ask us to, we'll log it as a complaint.

5.0 Context

5.1 You can complain about our standard of service, actions, or lack of action by us or anyone working for us (e.g. contractors) within 12 months of the issue happening. We may use our discretion to accept older complaints if there's good reason you hadn't raised it before. If the problem is a reoccurring or ongoing issue, we'll consider any older reports as background to the investigation.

5.2 If you make a complaint and we complete our process, we're unlikely to accept another complaint about the same issue unless you provide new information. If you're unhappy with our decision, please see section 10, which explains other options available to you.

5.3 We won't accept new complaints which have already been investigated or, are under investigation by the Housing Ombudsman Service.

5.4 There may be some circumstances where your complaint is better dealt with outside this complaints process. If this is the case, we'll provide an explanation setting out why and the action you can take. You'll be able to approach the Housing Ombudsman Service once you've received our decision. The table below provides a non-exhaustive list as to why we may advise alternative action outside of this complaints process.

Concerns raised	Actions we will advise you
Where legal proceedings have been started. This is defined as a Claim Form or Particulars of Claim have been filed in Court.	Our solicitors will communicate directly with your legal representative if you have one.
Service charge queries	A member of our Finance team with knowledge of the service charges or scheme will look at your query. If you feel the services being delivered aren't to an acceptable standard, we'll consider this as part of our complaint process.

Personal injury or third-party liability claims (including those against contractors)	You may need to contact your own insurance company, or we may refer these to our insurers.
Anti-social behaviour of our residents	We have a separate policy for tackling anti-social behaviour (ASB). We'll consider complaints about the handling of your ASB case under our complaints process.
Rent charges or increases	If you're dissatisfied with your rent charge or increase, the relevant staff member will respond to your enquiry.
Subject Access (SAR) or STAIRs Requests	If you have concerns about the content of your subject access or STAIRs request, you can contact our Corporate Services Officer. You may also contact the Information Commissioner's Office (ICO). We can deal with other complaints about our handling of your request under our complaints process.
Decisions made in accordance with our statutory obligations, or legislation and regulation	We're unable to reverse these decisions. Examples include succession, mutual exchanges, and the Right to Acquire / Buy. We can deal with issues relating to how we handled the matter as a complaint.

6.0 Who can make a complaint

6.1 Anyone can make a complaint about the services we provide, including anyone working for us (including our contractors).

6.2 If you prefer, you can authorise someone else to make a complaint on your behalf i.e., an 'advocate'. This could be a friend/relative or representative from an external organisation (such as Citizens Advice). If you'd like an advocate to act on your behalf, let us know.

6.3 However, you may only be able to escalate your complaint to the Housing Ombudsman Service if you have a landlord/tenant relationship with us. This includes leaseholders and other residents with agreements to occupy premises with a member landlord or managing agent.

6.4 We expect all residents to behave reasonably and co-operate with us throughout our complaints process.

6.5 We'll take your preferences into account when communicating with you and we'll make reasonable adjustments in line with the Equality Act 2010. We recognise some people who wish to complain may need support in doing so. We accept complaints made by advocates on behalf of a complainant. We take steps in line with our Data Protection Policy to make sure the complainant is in agreement.

6.6 A completed and signed advocacy form may be required to evidence a complainants' authorisation. In reasons of incapacity, it may not be possible for the complainant to authorise an advocate in this way, we will request other evidence that the advocacy is legitimate, e.g. a Mental Capacity Act Assessment (MCAA).

6.7 If a complainant has made unreasonable complaints in the past, we will not assume that their next complaint is unreasonable. Each complaint will be considered on its merits, and all relevant correspondence will be evaluated to consider the circumstances, including:

- Whether a complainant has made persistent or unreasonable demands
- Whether there is a strong likelihood, complaints are being made to intentionally cause harassment, divert resources or to disrupt our operations
- Whether the complainant or their representative has been abusive or threatening to staff, or has produced excessive correspondence
- Whether the complainant displays vexatious behaviour

7.0 How to contact us

7.1 Complaints can be made to us, in a variety of ways:

- Letter or email
- Telephone
- In person
- Online customer portal
- Our website

8.0 Complaints process – Stage 1

8.1 In order for the formal complaint process to begin, customers must have reported the original problem and had the matter signalled as a matter of dissatisfaction, which can then trigger our complaints process to begin.

8.2 If you're unhappy with our response to your service request or wish to raise a complaint at stage one of our process, we'll contact you within five working days to:

- Acknowledge your complaint
- Establish full details of what's happened
- Find out how you'd like us to resolve it. We'll be clear where your desired outcome may be unreasonable or unrealistic, but we'll focus on what we can do
- Allocate an Investigating Officer to review your complaint

8.3 If you raise multiple complaints at the same time, we'll provide you with one point of contact, where possible. If you raise further concerns when we've already issued a response, or it would unreasonably delay our response, we'll log it as a new complaint.

8.4 A full investigation of the complaint will be carried out within ten working days of the complaint being acknowledged.

8.5 If we are unable to reach a decision within ten working days, we will provide you with an explanation and aim to agree a new response date with you. If we're not able to agree to an

extension, you can contact the Housing Ombudsman for advice. We will continue with our investigation and provide a response within the extended timeframe.

8.6 During the complaint review, we may contact the complainant for further information or to provide timely updates, if previously agreed.

8.7 We will communicate our findings in writing by email or letter (unless a different communication method has been requested by you). Our response detailing our findings will confirm:

- The complaint stage
- An outline of your complaint
- Our complaint decision on your complaint and the reasons for our decision
- Details of any remedy offered to put things right
- Details of any learning points for us
- Details of any further actions required or a commitment on how we will monitor those actions
- Details of how to escalate your complaint to Stage 2, if you're not satisfied with the outcome

8.8 If you refuse to engage with us to resolve your complaint, we may close your complaint. For example:

- Refusing to allow us or our contractors to access your home
- We have exhausted all methods of contact, and you have failed to respond to us for a prolonged period
- Failing to provide information within agreed timescales

8.9 We will always explore if there is more we can do to assist you, to resolve the matter. If you feel your complaint has not been fully resolved, you can request an escalation to Stage 2 of our process. This must be done within ten working days of the date of our formal response, otherwise the complaint will be closed.

9.0 Complaint review – Stage 2

9.1 You must be clear about the reasons you remain dissatisfied with our reply and the outcome you would like to see your complaint resolved. You will be required to provide information or evidence as to why you feel the complaint was not resolved fully, which must be provided within ten working days, from the date of the final complaint response.

9.2 We will acknowledge your request and the outcomes you're seeking, within five working days of you contacting us.

9.3 A complaint can be escalated, except for the following reasons:

- Where there is no new evidence presented and no reason given for wishing to progress further
- Where the reasons for escalation are unrelated to the original subject matter of the complaint

- Where the request has been submitted outside of the escalation deadline set out within the Stage 1 complaint process (in exceptional circumstances this may be reconsidered by the Operations Director)

9.3 A Director from our Senior Leadership team, with no previous involvement in your complaint, will conduct the review.

9.4 We will contact you with our decision, within twenty working days of our acknowledgement.

9.5 If, for any reason, we need more than twenty working days to respond to your complaint, we'll explain why and agree a new response date with you. If we're not able to agree an extension, you're entitled to contact the Housing Ombudsman for advice. We'll continue with our investigation and provide our response within the extended timeframe.

9.6 There may be occasions when we won't accept a request to escalate to Stage 2. For example, if the outcome being sought isn't within our power or ability to deliver. In these cases, we'll write to you and explain why. We'll give the options available to you, including your right to contact the Housing Ombudsman.

10.0 If you're still unhappy?

10.1 You're able to contact the Housing Ombudsman Service at any point throughout your complaint for advice. Once you've exhausted our complaints process at Stage 2, you may ask the Housing Ombudsman to mediate or investigate the case on your behalf.

10.2 The Housing Ombudsman Service may not consider complaints that fall within the jurisdiction of another:

- Ombudsman
- Complaints-handling body (such as the Information Commissioner)
- Regulator (such as the Regulator of Social Housing or Building Safety Regulator)

Appropriate referral will depend on the specific complaint. We, or the Housing Ombudsman, will signpost you to the relevant body as appropriate.

10.3 You can find Housing Ombudsman Service contact details below, on our website, or at housing-ombudsman.org.uk.

Housing Ombudsman Service
PO Box 152
Liverpool
L33 7WQ
Telephone: 0300 111 3000
Email: info@housingombudsman.org.uk

10.4 You can request your complaint to be considered by a designated person. Councillors and MPs are designated people, and their role is to assist in resolving complaints.

11.0 Confidentiality

11.1 Our staff will ensure they only involve other agencies and share information with the consent of the resident concerned, unless:

- Radcliffe is required to by law
- The information is necessary for the safeguarding of children and vulnerable adults

12.0 Review

12.1 We will review this Policy to address legislative, regulatory, best practice or operational issues

12.2 This Complaints Policy is accessible on our website, together with the contact details for the Housing Ombudsman Service.