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# Complaint Policy

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7 March 2024

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Three Yearly – Board of Management

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## 1.0 Policy statement

Our mission is **to provide and maintain a high standard of specialised housing and support services for older and vulnerable people, delivered through a strong brand, service excellence, and meaningful partnerships.** Our Complaint policy plays an important role in building and maintaining trust in our brand and in identifying opportunities for service improvement.

Following the introduction of the Housing Ombudsman's Complaint Handling Code, a complaint is universally 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.'** The resident does not have to use the word 'complaint' for it to be treated as such.

A **'service request'** is when a customer contacts to let us know of a problem and allows us the opportunity to investigate and fix their concerns. An example is when a resident contacts us requiring action from us to put something right i.e. the repair contractor did not visit as arranged, or to report a problem with damp and mould. Our priority is to try and put things right locally and informally to allow a quick and effective solution to be reached. Service requests are not complaints, but will be set up in the Home Master Case Management module, ensuring accurate records are maintained and the proactive monitoring of the case until resolution is reached.

A complaint occurs when the customer raises dissatisfaction with our response to their service request, or where the complainant specifically requests that their contact with us is logged as a complaint. If a complaint is subsequently made whilst the service request is being addressed we will log the complaint but will continue to resolve the related service request.

We will proactively clarify if the customer wishes to make a complaint. If having explained our approach to complaints, the customer specifically asks that a complaint is not recorded, we will record the decision and reason(s) to ensure a clear audit trail. Encouragement and reassurance will be given if the customer is concerned about making a complaint in case we treat them differently. Through our proactive attitude towards complaints, we will make it easy and simple for dissatisfaction to be raised. Making a complaint will not result in any adverse changes to the services provided to the complainant.

In order that we can effectively respond to complaints it is important that we understand why the customer is making a complaint and the resolution they are seeking. This is known as the **'complaint definition.'** When a complaint is acknowledged at either stage of this policy, we will be clear which aspects of the complaint we are, and are not, responsible for and clarify any areas where this is not clear.

We have a separate policy for handling reports of antisocial behaviour (ASB) and neighbour nuisance. Reports of ASB are not recorded as a complaint and are dealt with in line with our ASB policy. If the customer expresses dissatisfaction with our handling of their report of ASB or the handling of their ASB case, we will treat this as a complaint. Where a complaint suggests that abuse or neglect is taking place, we will ensure compliance with our safeguarding policies and procedure, in addition to this policy.

An expression of dissatisfaction with services made through a survey, or through a negative comment on social media, is not defined as a complaint, although we will wherever possible, make the customer aware of how they can pursue a complaint if they wish to.

We will proactively raise awareness of our complaint handling arrangements through our complaint fact sheet, including the role of the Housing Ombudsman. This fact sheet will be referenced during our pre tenancy service, in our tenant/leaseholder handbook and key fact sheets, and on our website.

We will publish our complaint policy on our website, along with information on the Housing Ombudsman, including our self-assessment against the Code.

We will seek to manage customer expectations and will not make promises that cannot be delivered, or offer outcomes that would cause unfairness to other customers.

We will comply with the Housing Ombudsman Complaint Handling Code and co-operate with the Ombudsman Service during any investigation.

## 2.0 Regulatory responsibilities

The Social Housing (Regulation) Act 2023 empowered the Housing Ombudsman to issue a code of practice about how we, as a social landlord, respond to complaints. It also places a duty on the Ombudsman to monitor compliance with the code. The statutory code will take effect from 1 April 2024. To comply with the code, we will:

- carry out an annual self-assessment against the code and report the findings to:
  - the Board of Management;
  - residents, via our website and annual report (this includes the Board's response to the annual report on complaint handling, see below);
  - the Housing Ombudsman, using the prescribed format and within the published deadline for a landlord with less than 1000 homes; and
  - our resident scrutiny panel (if in existence).
- produce an annual complaints performance and service improvement report, which will include:
  - the annual self-assessment against the code;
  - a qualitative and quantitative analysis of our complaint handling performance. This includes any complaints we exclude;
  - any findings of non-compliance with the Code by the Ombudsman;
  - the service improvements made because of the learning from the complaints;
  - any annual report about our performance from the Ombudsman; and
  - any other relevant report or publication by the Ombudsman in relation to the delivery of our landlord services.
- appoint at least one member of the Board to have lead responsibility for complaints in support of a positive complaint handling culture, who will be referred to as the Member Responsible for Complaints (the MRC).

Through this policy we will ensure we meet our regulatory obligations as set out in The Regulator for Social Housing Transparency, Influence and Accountability Standard. It assists with our compliance of the NHF Code of Governance 2020 **resident focus requirement**. 'The board has access to insight into the views and needs of the organisation's residents and other customers (including insight into their concerns and complaints) and uses this to inform decisions where appropriate.'

## 3.0 Responsibilities and accountabilities

### 3.1 The Board of Management

Complaint handling performance is an important strategic role, providing vital intelligence on our performance and reputation. The Board, with the support of the Audit and Compliance Sub-committee, is responsible for:

- promoting a positive complaints culture;
- seeking assurance that we have a learning culture which manages risk;
- ensuring there are robust learning processes in place;
- ensuring service improvements are being implemented; and
- ensuring compliance with the statutory obligations under the Ombudsman Scheme.

By:

- approving this policy;
- appointing the Member Responsible for Complaints (the MRC);
- the Audit and Compliance Sub-committee reviewing complaints handling performance on a quarterly basis, reporting any concerns to the Board of Management, the Board Resident Champion and considering any updates to the risk register;
- considering any Complaint Handling Failure Orders and maladministration claims made against the Association, and the management action being taken to rectify; and
- reviewing our annual self-assessment of the code and annual complaints performance and service improvement report and producing a response to this report, for publication on our website.

### 3.2 The Member Responsible for Complaints (MRC)

The MRC will help engender a positive complaint culture and will receive and review:

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

### 3.3 The Executive Management Team (EMT)

The EMT is responsible for:

- maintaining a no blame culture;
- celebrating positive feedback and compliments;
- considering internal and benchmarked complaint analysis reports on a regular basis, highlighting performance, and identifying areas for improvement, including themes, trends and risks;
- considering all Complaint Handling Failure Orders and maladministration claims made against the Association and overseeing the management action being taken to rectify;
- reviewing the Home Master complaint performance report quarterly and liaising with the Housing Ombudsman when necessary; and

- ensuring a summary of complaint performance is reported through the agreed governance structure, to all residents through the resident annual report, and to any resident scrutiny panel in operation.

### 3.4 The Director of Operations

He/she in addition to his/her Executive Management responsibilities will:

- act as the senior lead person with accountability for our complaint handling performance. This includes assessing any themes or trends to identify potential systematic issues, serious risks or policies and procedures that require revision;
- implement and embed this policy;
- complete a self-assessment against the Housing Ombudsman Complaint Handling Code; and
- identify any learning from the Housing Ombudsman annual landlord performance report, and if applicable, incorporate into our policies, procedures, and practices.

### 3.5 Complaints Officer (the PA to the Chief Executive)

He/she will take responsibility for overseeing, responding, evaluating, and monitoring formal complaints and will:

- ensure that when responding to a stage 1 complaint, or when escalating a complaint to stage 2, there is sufficient clarity about the reasons for the complaint and the expected resolution (the complaint definition'), this includes managing customers' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic;
- comply fully with this policy and procedure;
- give everyone involved in the complaint the chance to explain their point of view;
- act independently and have an open mind;
- ensure that the complaint has been impartially investigated;
- set out our understanding of our landlord obligations and of the customer (if applicable);
- where applicable, signpost to other organisations such as Citizens Advice, the Leasehold Advisory Service and Shelter to aid the resolution of the dispute;
- regularly update the complainant;
- retain clarity of where resolution has, or has not, been reached;
- give the complainant opportunity to comment on any adverse findings before a final decision is made;
- update the Home Master Case Management module with comprehensive details of all service requests, complaints, and compliments, this includes any reviews and the outcomes at each stage of the policy escalation workflow;
- liaise with the Director of Operations and the Senior Officer Team to share any trends and ongoing learning and development opportunities; and
- provide a Home Master complaint performance report quarterly to the EMT; and liaise with the Housing Ombudsman when necessary.

## 3.6 Senior Officers and Line Managers

Will:

- embed this policy and culture within their teams;
- be alert to possible dissatisfaction in a timely and professional manner, sharing learning outcomes across the Senior Officer team to prevent the need for customers to complain;
- comply with policies, procedures and deliver effective cross team communication;
- identify training and development needs so that team members are confident in delivering their role and responsibilities;
- ensure they and their teams respond promptly and proactively to service failings and apply the necessary improvements to prevent reoccurrence; and
- be honest and transparent so that any concerns are captured and enable an honest assessment of future risk.

## 3.7 Employees

All employees will:

- have a collaborative and co-operative approach towards resolving dissatisfaction, working with colleagues across teams and departments;
- be open, accountable, and respectful when handling reports of dissatisfaction, adopting a preventative and outcome focused culture to try and prevent similar complaints;
- assist and support the Complaints Officer when needed;
- respond impartially to any dissatisfaction and take a step back to question individual actions, along with considering whether our policies, procedures and practices could have led to dissatisfaction;
- taking collective responsibility for any shortfalls identified through complaints rather than blaming others; and
- acting within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing, [click here](#).

## 4.0 Compliments

We welcome and encourage customers to find the time to say 'well done' if a member of staff or service merits it. Compliments from customers are a great boost to our teams. Compliments are important as they help us to monitor what works well and when members of staff have been particularly helpful. Compliments received will be added to our Home Master Case Management Module and reports shared across our teams and from time to time published on our website.

## 5.0 Making a complaint

Anyone who receives a service from us can make a complaint, this includes applicants for housing or anyone else affected by our services i.e. people living next to our housing schemes. We have developed a complaint form/script to help us understand the nature of the complaint and the desired resolution.

Complaints can be made in writing, by email, via the internet or we can complete the form with a customer over the telephone or in person. We will support vulnerable customers to make a complaint and consider any other reasonable adjustments to ensure easy access to this policy.

Please note that for any complaints received via social media, we will contact the complainant directly to discuss the situation with them. We will not respond to the complaint via social media.

A third party can make a complaint on the behalf of a customer. However, permission for us to engage with a third party must be recorded on our 'LH26 resident contact' form or made as part of the complaint request. If the request is made as part of a verbal complaint, we will acknowledge this approach in our complaint acknowledgement, with the option to refute it. We will send copies of any correspondence regarding the complaint to the customer, with a copy to the third party unless we are given any other instructions to follow.

## 6.0 Exclusions

There are some instances where the issue that is raised will not **normally** be dealt with via the complaints process, these are where a complaint:

- is about a service where we have no responsibility, such as a local authority nomination procedure or an action of the Care Provider commissioned by Lincolnshire County Council to provide care within our Housing with Extra Care Schemes. In such cases we will provide support to enable the complainant to log their complaint with the appropriate person;
- and the issue, giving rise to the complaint, occurred over twelve months ago. However, it may not be appropriate to exclude any complaints that concern safeguarding or health and safety issues. Where the problem is a recurring issue, we will consider any older reports as part of the background to the complaint if this will help to resolve the issue for the customer;
- is presented to us as an anonymous letter, although this may be investigated if there is a cause for concern;
- is recorded and 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; or
- is an attempt to reopen a previously concluded complaint, or to have a complaint reconsidered where we have already given our final decision.

In all instances we will consider the individual circumstances of the complaint and provide the customer with a detailed explanation of the reasons why, in our opinion, their complaint is not suitable for our complaint policy. This includes their right to challenge our decision with the Housing Ombudsman. We will keep records of all communication in our Home Master Case Management module and include such cases in our complaint performance reports.

## 7.0 Complaint handling framework

### 7.1. Formal complaint framework

Our formal complaint framework consists of two stages; Stage One – formal investigation and Stage Two – complaint review.

Outcomes of all formal complaints should be confirmed in writing, with all points raised in the complaint addressed with clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate. Communication with customers will not generally identify individual members of staff or contractors. This is because we take responsibility for the actions of our employees and contractors rather than apportioning responsibility by directly naming individuals.

A complaint response will be sent to the customer when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. At the completion of each stage of the formal complaint process we will acknowledge and apologise where things have gone wrong and confirm the following:

- the stage of our Complaint Policy;
- the complaint definition;
- the decision on the complaint;
- the reasons for any decisions made, referencing the relevant policy, law and good practice where appropriate;
- the details of any remedy offered to put things right, including timescales;
- the details of any financial remedies offered, considering the Ombudsman guidance on appropriate remedies;
- amendments to any records or adding a correction or addendum;
- details of any outstanding actions, confirming that these will be tracked and actioned promptly with regular updates provided;
- what actions we will take to prevent the issue from happening again this may include changes to policies, procedures, or practices;
- if the complaint is at Stage One, details of how to escalate the matter to Stage Two;
- if the complaint is at Stage Two, confirming where we have reconsidered or changed a decision and details of how to escalate the matter to the Housing Ombudsman.

When communicating an extension to the published timescales at Stage 1 or Stage 2 we will write to the customer setting out our reasons and include the contact details of the Housing Ombudsman.

### 7.2. Complaint timescales

We will log and acknowledge a formal complaint **within 5 working days** of the complaint being received. This includes confirming our understanding of their complaint and their requested outcome, the 'complaint definition.'

We will issue a full response to Stage One complaints **within 10 working days** of the complaint being acknowledged. If this is not possible, an explanation and a revised timescale for our full response should be given. Any extension will not normally exceed a further **10 working days** without good reason and this should be agreed by both parties. We will not delay sending an acknowledgement **beyond 5 working days** and a Stage One complaint response will always be due **within 15 working days**.



We will log and acknowledge a Stage Two complaint **within 5 working days** of the escalation request being received. We will issue a final response to the Stage Two complaint **within 20 working days** of the complaint being acknowledged. If this is not possible, an explanation and a revised timescale for our final response should be given. This will not normally exceed a further **20 working days** without good reason.

The date the complaint is received is day zero of the permitted working days.

### 7.3. Stage One complaint – Formal investigation

A Stage One complaint will be overseen by our Complaints Officer, who will seek assistance from colleagues to help investigate the complaint, seek clarity of any legislation, policy or regulatory considerations and look to find an acceptable resolution.

Where a complainant raises additional complaints during the investigation, these will be incorporated into the Stage One response if they are relevant and the Stage One response has not been issued. Where the Stage One response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.

If having received our response the complainant believes that we have not responded or resolved all the issues, our Complaints Officer will explore if there is anything more that could be done to resolve the complaint at this stage. This includes reviewing any new information not previously provided to us.

If the reason for dissatisfaction concerns compensation, this is not in itself reason to escalate the case to Stage Two and instead we will attempt to address the award of compensation at this stage.

If we believe we have taken all reasonable actions to resolve the complaint or are unable to deliver the outcome requested by the complainant, we will explain Stage 2 of our complaints policy.

We will close a complaint if the complainant is satisfied with our response.

### 7.4. Stage Two – Complaint review

If a customer feels we have not addressed their complaint in a reasonable or fair way and remain dissatisfied with our response, they can request a review. We ask customers to request a review within 20 working days of receiving our Stage One response, unless there is good reason for delaying such request.

To ensure the focus of an escalated complaint is clear, complainants will be asked to explain why they remain unhappy with our original response, their reason for wanting to progress the complaint to Stage Two and how they would like to see the complaint resolved, the '**complaint definition**'. Where necessary we can provide support to ensure an accurate record of the request is made, but we will not prevent escalation if the customer refuses to give a reason.

The complaint will be reviewed by either the Head of Housing, Head of Assets, a member of the Executive Management Team, or a Board member, not involved in the original decision. A decision will be made as to whether the review will be carried out individually, or due to the nature of the complaint, or the expectations of the customer, it would be beneficial to convene a complaint panel to enable a more holistic review. If a panel is convened the customer will be given opportunity to attend.

This is the final stage of our internal complaints process and the resident will be advised of their right to refer the complaint to the Housing Ombudsman.

## 7.5. Compensation

Customers seeking compensation or financial redress do not need to make a formal complaint to have their request considered and can contact us explaining why they are seeking compensation from us. We will take into account the Ombudsman guidance on appropriate remedies, [Please click here for details.](#)

In some cases, a customer may have a legal entitlement to redress. In such circumstances we will look to offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.

## 8.0 Unreasonable or repetitive complaints

Most of the complaints we receive are made reasonably and in good faith and because customers are genuinely unhappy with our service. We will do our best to resolve these.

We use the Housing Ombudsman Service Guidance on unacceptable behaviour to manage complaints where the complaint or behaviour of the complainant is unreasonable, [click here.](#) We do not view behaviour as unacceptable just because someone is assertive or determined.

When the contact from the customer is unreasonably persistent or vexatious, we reserve the right to stop corresponding over matters that simply repeat the same complaint. In doing so we recognise that we are entitled to treat such a complainant differently but we will explain our reasons to ensure we continue to treat the complainant fairly and respectfully and with regard to the provisions set out in the Equality Act 2010. When communicating our decision to the complainant we will remind them of their right to approach the Ombudsman if they wish to challenge our decision.

## 9.0 Data Protection

Where a complaint involves a third party, for example the conduct of a contractor, it will be necessary for us to disclose some of the details about the complaint to them for us to investigate. Where the information is of a sensitive nature, we will discuss this with the complainant before we share any data. Any data shared will be done so, in line with the Data Protection Act 2018 and requirements of the UK General Data Protection Regulations (the GDPR).

## 11.0 Equality and Diversity

Our approach to complaints promotes openness between customers and our staff to understand complaints and resolve the complaint in a positive manner. We will always seek to understand customers' needs and preferences and identify where a complainant may need reasonable adjustments in line with the Equality Act 2010. We will offer support or tailor our complaint handling approach to ensure all complainants can easily access and engage with this policy regardless of their background, appearance, age, beliefs, or lifestyle. We will be aware of the effects of bias and prejudice on decision making. For further information on reasonable adjustments please refer to our CP8 Equality and Diversity policy.

## 12.0 Monitoring and reporting

All formal complaints will be recorded and performance against the policy monitored and reported annually to the Board, quarterly to the Audit and Compliance Sub-committee and to the Executive Management Team.

Complaint performance includes:

- The number of complaints received, per category/function;
- The % outcome of complaints (upheld or not upheld);
- The % of complaints received at Stage 1 resolved at Stage One;
- The % of complaints resolved at Stage Two;
- The Tenant Satisfaction Measures:
  - CH01 – Complaints relative to the size of the landlord
  - CH02 – Complaints responded to within Complaint Handling Code timescales
- TP09 – Satisfaction with the landlord’s approach to handling complaints
- The % of complaints acknowledged within published timescale;
- The stage most complaints resolved;
- Identification of any trends and ongoing learning and development opportunities;
- The number of complaints logged with the Housing Ombudsman; and
- The number of Housing Ombudsman’s Complaint Handling Failure Orders.

In addition to the complaint handling performance a programme of assurance reporting will be established and this is detailed on a separate version of the Code self-assessment. Information will be published annually to residents in the form of the annual complaints performance and service improvement report and this includes the number, the reasons, the outcomes of complaints (upheld/not upheld) and whether we made any changes to our policies and procedures because of learning from complaints.

## 13.0 Review

This policy will be reviewed every three years by the Board or earlier because of changes to the Tenant Involvement and Empowerment Standard, the Housing Ombudsman Complaint Handling Code or following a change in legislation.

## 14.0 The Housing Ombudsman

The contact details of the Housing Ombudsman are:

**Complaint form:** Fill in the [online complaint form](#)

**Email:** [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

**Phone:** [0300 111 3000](tel:03001113000)

Calls are recorded for training and monitoring purposes.

**Write to:**

Housing Ombudsman Service

PO Box 152  
Liverpool  
L33 7WQ

Fax: 020 7831 1942

**Please note:** We would strongly encourage customers to use [email](#) or the [online complaint form](#) rather than sending post to our PO Box address in Liverpool as there will be delays. Please do not send original documents by post as we are unable to post them back to you. Also note that we will not be able to deal with large bundles of documents by post.