

# Resident Complaints Policy

<b>Reference</b>	CS01	<b>Version</b>	3
<b>Applies to</b>	Board members, staff and residents and third-party contractors for Arches Housing of	<b>Issue date</b>	April 2024
<b>Approved by</b>	ELT	<b>Review Date</b>	April 2027
<b>Lead Officer</b>	John Hudson	<b>Reviewed By</b>	Karen Green

## 1. Policy Statement & Principles

- 1.1 Arches Housing encourages and values all feedback, including from compliments and complaints from residents. We use it to tell us about opportunities to improve, and where we are getting it right. Our strategic priority of 'putting residents at the heart of what we do' demonstrates our commitment to learning from feedback to improve our services,
- 1.2 This Policy ensures that our approach to receiving and responding to residents when something may not have gone to plan, is consistent, fair, and helps to build a positive relationship between Arches Housing and our residents.
- 1.3 We focus on outcomes, aiming to minimise bureaucracy so that we are getting things done, and providing a prompt response for residents.
- 1.4 We are a Housing Ombudsman member landlord, and this Policy is written in compliance with the Housing Ombudsman Complaint Handling Code. We subscribe to the [Housing Ombudsman Dispute Resolution Principles](#) to Be Fair, Put things right, and Learn from Outcomes. We want to resolve any issues in a way that works best for residents, and which reflects the Housing Ombudsman Complaints Handling Code, whilst maintaining the fairness and integrity of our Policies and Strategic Aims.
- 1.5 Our residents have the right to contact the Housing Ombudsman at any time for advice on complaints, and we advise all complainants of this right, and how to contact the Housing Ombudsman, on all complaint correspondence.
- 1.6 This Policy should be read in conjunction with our Compensation Policy which determines how we will recognise any detriment experienced by a complainant because of a service failure, or their attempts to seek redress via this Policy.

## 2. Accessibility

- 2.1 We ensure there is resident choice in how we deal with dissatisfaction. A resident does not have to use the word 'complaint' for it to be taken as such, and so we will check how the resident wishes us to respond, particularly where there is a vulnerability or health and safety concern.
- 2.2 A Complaint submitted via a third-party representative such as a family member, MP or local counsellor or advice agencies/charities, will be managed in-line with this policy, subject to necessary consents being provided for the sharing of personal information as per our Data Protection policy.
- 2.3 We consider residents making complaints as a positive sign that our residents are aware of how to make a complaint and are comfortable using this service so that we can seek to put things right when things go wrong.
- 2.4 No resident will experience any detriment due to having made a Complaint. Complaints help us to resolve disputes together and are an important opportunity to build a positive relationship with our residents.

### **Reasonable Adjustments**

- 2.5 Arches Housing is committed to ensuring that residents with additional needs are not disadvantaged in accessing its services. To this end we will discuss with the resident whether there are additional needs regarding communication preferences, make reasonable adjustments where necessary to ensure accessibility for all residents.
- 2.6 This policy does not seek to explain how we will approach every situation; it is intended as a general statement of our policy to confirm our commitment to improving accessibility for everybody that we deal with.

### **What is a reasonable adjustment?**

- 2.7 To make an adjustment means to make a change to work practices to avoid or correct the disadvantage to a person with a disability.  
Examples of this include:
- Allowing more time than we would usually for someone to provide information that we needed; and/or,
  - Providing specialist equipment or additional support such as a sign language interpreter for a workshop or event; and/or,
  - Providing printed documents or correspondence in a larger font.
- 2.8 There is no prescribed list of reasonable adjustments; the adjustment will depend on the individual's needs. We will discuss the requirements with the person concerned and seek to reach agreement on what may be reasonable in the circumstances. We will not make assumptions about whether a person requires any reasonable adjustments or about what those adjustments should be.

## **3. Exclusions**

- 3.1 Situations that are outside of this Policy include any matter subject to pending legal proceedings where details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court, or insurance claims, and for which we are obliged to follow a separate procedure. We will advise you how we will deal with your enquiry when we receive it.
- 3.2 We are unable to consider complaints concerning services that are not provided by Arches Housing. Examples include any service provided by a local authority, or the Department for Work and Pensions (DWP).
- 3.3 Complaints that have already been investigated will not be investigated again, unless new information that is material to the case is being presented.
- 3.4 Each complaint will be considered on its own merits.
- 3.5 We will typically not accept a complaint which concerned events having taken place more than 12 months ago. However, we will consider any extenuating circumstances which may have prevented the resident from making their complaint earlier before determining whether will accept the complaint for investigation.
- 3.6 We may temporarily exclude a complaint if the resident has not yet provided either sufficient information for us to determine acceptance of a complaint, or where discriminatory behaviour is alleged without full details being disclosed. We will make

attempts to obtain information from the resident within the five-day acknowledgement period and will seek to work together with resident to provide appropriate reasonable adjustments for their complaint to be investigated. If the resident, then provides the information required we will confirm next steps within five working days of receipt.

- 3.7 We may exclude a complaint from progressing to Stage 2 if it is deemed that no further redress can be provided, such as where a resident is expressing dissatisfaction with our policy where there are no discriminatory concerns. Where this is the case, we will confirm this in our Stage 1 response letter.
- 3.8 If a complaint is excluded, we will confirm this in writing and provide full reasons for the exclusion, and advice on the Housing Ombudsman and how to contact them.

#### **4. Ways we can put things right.**

- 4.1 A resident does not have to use the word 'complaint' for it to be treated as such. Similarly, a resident may use the word 'complaint' but may not be intending for a full investigation to take place.
- 4.2 When a resident expresses dissatisfaction we will agree with them the course that they wish for us to take. This might be a 'service request,' or a 'complaint.' Both are set out below.
- 4.3 There may be occasions where the nature or cause of the dissatisfaction warrants a full complaint investigation to take place. This includes where the issue is complex or requiring more in-depth enquiries, there is a tenant who is vulnerable or at risk, or the issue has become repetitive. In such cases we will discuss these concerns with the resident to determine the most appropriate course of action.

##### **What is a Service Request?**

- 4.4 The Housing Ombudsman says that 'A service request is a request from a resident requiring action to be taken to put something right. Service requests are not complaints but must be recorded, monitored, and reviewed regularly.'
- 4.5 A service request is typically something that can be resolved within the initial call, or with minor enquiries within the same day.
- 4.6 If we are unable to resolve an issue in this way, we will advise the resident of the option to make a Complaint, and about how to contact the Housing Ombudsman.

##### **What is a Complaint?**

- 4.7 The Housing Ombudsman defines a complaint 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.
- 4.8 Complaints about employees of Arches Housing will be treated seriously, and where necessary in-line with our human resource management arrangements. Due to the requirements of the General Data Protection Regulations, we reserve the right to limit the information provided on the outcome of a complaint in order to respect and protect the privacy of the employee.

## 5. How we will deal with Complaints

- 5.1 When we receive a complaint, we will consider it carefully to ensure it meets our criteria for investigation. Where further clarification is required to accept or investigate a complaint, we will attempt to seek this from the resident.
- 5.2 Where a complaint or part of a complaint is accepted, we will acknowledge it within five working days. We will include our understanding of the complaint and the outcome that the resident is seeking, name of the investigating officer, how long to allow for the investigation to be completed, and how to contact the Housing Ombudsman.
- 5.3 Complaints will be allocated for investigation to a manager who has had no prior involvement in the current issue, to ensure objectivity is maintained.
- 5.4 The Housing Ombudsman will usually expect a complainant to have exhausted our Complaints Policy and process first before they will take on the case, but they can offer advice you on what complainants should expect.
- 5.5 Our Complaints process is comprised of 2 Stages:

### Stage 1

- 5.6 The investigator will contact the complainant to confirm their understanding of the residents' concern and agree what the investigation will consider. They will provide a date by which they expect their investigation to be completed and arrange an outcome appointment.
- 5.7 Our investigation will consider the information available to us at the time, and any facts and any statements of events, to determine whether a failing has occurred for which Arches is responsible.
- 5.8 We aim to complete investigations at Stage 1 within ten working days. However, there are occasions when we may need to extend our investigation by a further ten working days. Examples include where a third party involved such as utility companies or repairs contractors, or if the complaint is complex, or the resident is vulnerable or at risk and reasonable adjustments are in place which reflect the resident's capacity to engage with our timescales. Where an extension is required, this will be confirmed in writing, together with advice on how to contact the Housing Ombudsman.
- 5.9 Upon conclusion of our investigation, we will always try to explain what we have found verbally in the first instance. When it has not been possible to establish contact with the resident, or they do not wish for an outcome to be delivered in this way, we will confirm the outcome in writing, and invite the resident to contact us to discuss the outcome at a future time if they so wish. The outcome letter will explain what complainants can do if they remain dissatisfied, including how to appeal their complaint (Stage 2), and advice on the Housing Ombudsman and how to contact them.
- 5.10 If it is deemed that no further redress can be provided at Stage 2, we will advise the resident that we consider the complaints process to be exhausted, and that we will not consider the complaint any further. An example would be where a resident is complaining about a policy where there is no evidence of discrimination or that a relevant vulnerability has not been taken into consideration.

## Stage 2

- 5.11 If a customer is dissatisfied with the outcome of their complaints at Stage 1, they can choose to have their complaint reviewed again by a more senior member of staff at Stage 2.
- 5.12 If we have stated in our stage 1 outcome that we are unable to consider the complaint further, then we will confirm this again and provide advice on how to contact the Housing Ombudsman for advice.
- 5.13 Where a request for review is accepted, we will acknowledge it within five working days. This will include our understanding of the complaint, their reason for requesting a review if this is known, and the outcome to their complaint that the resident was seeking. We will also include the name of the investigating officer, how long to allow for the investigation to be completed, and how to contact the Housing Ombudsman.
- 5.14 The complaint will be reviewed by the Director of Operations, or Chief Executive, subject to the nature of the complaint and service in question.
- 5.15 Our review will consider how the stage 1 investigation was conducted, whether this was in-line with our policy, and whether the outcome reached was fair and reasonable. The investigator will contact the resident to discuss this in full.
- 5.16 We aim to complete investigations at Stage 2 within twenty working days. Where a case is complex, or the resident is vulnerable or at risk and reasonable adjustments are in place which reflect the resident's capacity to engage with our timescales, we may need to extend this by a further twenty days. We will confirm this in writing, together with advice on how to contact the Housing Ombudsman.
- 5.17 Upon conclusion of our review, we will discuss our outcome with the complainant where possible, before confirming the outcome in writing. The outcome letter will confirm that the resident has exhausted our Complaints Policy on this matter and provide details of the Housing Ombudsman should they remain dissatisfied.

### Complaint Outcomes

- 5.18 Following a thorough investigation, we will find that either the complaint is:

**Upheld** – We got something wrong. We will explain what went wrong, how we propose to put it right, and what we will be doing to stop it happening again. We will consider whether financial compensation is appropriate, in-line with our Compensation Policy, and may offer a gesture of goodwill to recognise where the issue of pursuing a complaint has caused distress.

**Not Upheld** – We acted in accordance with our Policies and procedures and did not find evidence of wrongdoing on our part.

## **6. The Complaints Officer**

- 6.1 The Complaints Officer is an impartial role that does not investigate complaints but has access to staff at all levels to facilitate the prompt resolution of complaints, having the authority and autonomy to act to resolve disputes fairly and at the earliest point.
- 6.2 The Complaints officer is responsible for providing oversight of complaint investigations and outcome letters, for monitoring and reporting on complaints data and learning from complaints to the Board and residents.

## **7. Working with Contractors and Third Parties**

- 7.1 We have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:
  - a) have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;
  - b) take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and,
  - c) act within the professional standards for engaging with complaints as set by any relevant professional body.
- 7.2 Where dissatisfaction that is recognised to be a Complaint is made to any contractor or third party, that concerns a service that they have provided on behalf of Arches Housing, they will refer this to us so that we can investigate this impartially and in-line with this Policy.

## **8. Working with the Housing Ombudsman**

- 8.1 If our Formal Complaints process has been exhausted, and the resident remains dissatisfied with our decision, they can choose to contact the Housing Ombudsman who will consider the case further and determine whether we have acted appropriately and within the requirements of the Housing Ombudsman Code.
- 8.2 We will cooperate fully with the Housing Ombudsman and provide them with any information requested promptly.

## **9. Legal and Regulatory**

- 9.1 Regulator of Social Housing requires Arches Housing to have a Policy for dealing with Complaints, and to be members of the Housing Ombudsman scheme.
- 9.2 The Social Housing (Regulation) Act 2023 requires that members of The Housing Ombudsman scheme demonstrate compliance with the statutory Housing Ombudsman [Complaint Handling Code](#), including reporting self-assessments to the Housing Ombudsman, annually.

The Housing Ombudsman requires that our Board and residents receive information on how we are performing on complaint handling, the complaints that we receive, and how we have learned from complaints to improve our services.

## **10. Review**

- 10.1 This Policy will be subject to review every three years, or in response to significant changes to current legislation, regulations, codes of practice, or guidance.

## **11. Governance, Assurance and Reporting**

- 11.1 The Policy owner is the Director of Operations.
- 11.2 The Policy is administered by The Complaints Officer, and these duties sit within the role of the Corporate and HR Manager.
- 11.3 Monitoring of the delivery of this Policy will be the responsibility of the Board of Management via:
- Quarterly Complaints Report
  - Annual Key Performance Indicators (KPI)
  - Annual Performance and Service Improvement Report, including self-assessment against the Complaint Handling Code.
- 11.4 Learning from complaints is reported regularly on the Performance section of the Arches Housing website.