

# **CHISLEHURST & SIDCUP HOUSING ASSOCIATION- COMPLAINTS, COMPLIMENTS AND QUERIES POLICY AND PROCEDURE**

## **1.0 POLICY OBJECTIVE**

- 1.1 The purpose of this policy is to resolve the complaints and queries of Tenants and other service users to their satisfaction and in an appropriate manner and time-scale. We should also acknowledge compliments for a job done well and share good practice within the organisation. Similarly, with any queries of dissatisfaction about a service, or suggestion, we must use this information to improve our standards of service delivery.
- 1.2 We believe that complaints are an important measure of the services we provide, we view them as positive measures to make improvements to services and staff performance wherever possible. We treat all complaints seriously, however they are reported to us, and will always try and resolve complaints in the first instance. A copy of the Tenants' Handbook which, contains information on how to make a complaint, register a compliment or raise a query is issued to all Tenants as part of the sign up process.
- 1.3 A summary of how to make a complaint is also made available on Notice Boards at each Sheltered Housing Scheme.

## **2.0 PURPOSE**

- 2.1 The Policy and Procedure is intended to provide a means for:-
  - Resolving situations where Tenants/service users are dissatisfied with our services, our staff or agents or our procedures (complaint).
  - Using positive feedback from Tenants/service users to inform the development of services and procedures (compliments).
  - Looking at aspects of the services and identifying necessary action, which may involve providing information to Tenants or service users or making changes to services/procedures (query).

## **3.0 REGULATORY GUIDANCE**

- 3.1 The Association will offer a range of ways for Tenants to express a complaint and set out clear service standards for responding to complaints, including complaints about performance against the standards, and details of what to do if they are unhappy with the outcome of a complaint.
- 3.2 The Association will publish information via its newsletter and annual report about the number of complaints each year, their nature and the outcome of such complaints. The Association will also accept complaints made by advocates authorised to act on a Tenant's behalf; examples of advocates are social worker, support worker, an employee

of a care agency, next of kin or a friend, providing written authority has been received.

3.3 Guidance from the Housing Ombudsman Service (HOS) stipulates that a designated person should be contacted by a Tenant if the Association cannot resolve the complaint, as follows:-

- If the Association cannot put things right, the next step is to contact a local MP or the local councillor - these are the two types of designated person.
- If the designated person cannot help, the Tenant can then refer the complaint to the Housing Ombudsman Service (see page 7 for the address to send written complaints to the HOS).
- Complaints to the Housing Ombudsman Service do not have to be referred by a designated person, but if they are not, there must be at least eight weeks from the end of the Association's complaint process before the Ombudsman can consider the complaint.

3.4 If a complaint is brought to the Housing Ombudsman Service (HOS), the Association will co-operate fully and comply with any findings or recommendations made by the Housing Ombudsman Service.

#### **4.0 WHO IS THE COMPLAINTS PROCEDURE FOR**

4.1 The complaints procedure relates to all departments within Chislehurst & Sidcup Housing Association, and all aspects of Chislehurst & Sidcup Housing Association's business.

4.2 The complaints procedure is for anyone receiving a service from Chislehurst & Sidcup Housing Association and or people acting on behalf of Tenants i.e. an authorised advocate.

4.3 The complaints procedure does not cover the following:-

- Matters already being dealt with by the Housing Ombudsman Service.
- Liability or personal injury claims.
- Where legal action has begun, we will continue to manage through the complaints process, until confirmation of legal action has been received.
- Complaints from one Tenant about another. The Tenant should contact their Sheltered Housing Manager in the first instance for advice on neighbour disputes.
- Issues regarding antisocial behaviour (ASB). The Association will manage complaints about the handling of an ASB process.
- An issue that arose over six months ago that was never logged as a complaint.
- Any complaint closed over six months ago unless there are issues ongoing related to the complaint e.g. ASB; or and MP or Ombudsman have asked us to review the complaints; or the Tenant

was unable to reply due to illness or hospitalisation; or the Tenant has only recently become aware of the situation.

- Repair matters where the Tenant has not tried, in the first instance, to resolve the problem with the contractor via the Technical Services Manager.
- Complaints received by persons who are not the Association's Tenants.

4.4 Complaints or queries received from persons who are not the Association's Tenants will be logged by the Business Support Manager and will be passed to the relevant scheme for investigation. If the complaint relates to a General Needs property this will be passed to the Housing Services Manager for investigation.

4.5 Where a complaint petition is received by the Association it will be logged by the Business Support Manager and will be passed to the Housing Services Manager for investigation.

4.6 Any complaint that relates to a member of staff will be logged by the Business Support Manager and passed to the relevant Line Manager for investigation.

## **5.0 WHAT IS A COMPLAINT**

5.1 A complaint is defined under this procedure as an expression of dissatisfaction with an element of the service or with staff performance. Complaints will generally include one of the following:-

- A failure to provide a service to the level or standard laid down by the Association's policy.
- The attitude or behaviour of an employee of the Association or anyone working on behalf of the Association (i.e. a contractor)
- A failure to respond within a reasonable time to a request for a service or information.
- An appeal against decisions on service delivery issues.
- An inappropriate policy, procedure or document.
- A failure to comply with regulatory standards.

## **6.0 IDENTIFYING COMPLAINTS**

6.1 A complaint will generally be identified as such at the time the Tenant registers a complaint. However, in the event of a Tenant asking a question or making a comment on the services in the form of a query or compliment, subsequent action may result in the need to treat the query or compliment as a complaint, in which the procedure should be followed as laid down in this document.

6.2 A complaint is not a request to mend a dripping tap, or to resolve a neighbour dispute.

## 7.0 FORMAL PROCEDURE FOR MAKING A COMPLAINT OR QUERY

### 7.1 STAGE 1

7.2 If the complainant is unhappy with the outcome of a complaint previously dealt with informally or a complaint related to:-

- A failure to provide a service to the level or standard laid down by the Association's policy.
- The attitude or behaviour of an employee of the Association.
- An appeal against decisions on service delivery issues.
- An inappropriate policy, procedure or document.
- A failure to comply with a regulatory standard.

they can proceed to the formal process. This will be an opportunity for the complainant to have the action to date reviewed and for earlier decisions to be modified where appropriate.

7.3 The Business Support Manager will acknowledge the complaint in writing and send a copy of this document usually **within 3 working days** informing the complainant they will receive a reply usually **within 10 working days** and keep a copy of the letter on file. The Business Support Manager will pass the complaint to the relevant investigating officer. The Association usually has 10 working days to investigate the complaint and review any previous actions.

7.4 The relevant investigating officer will review the information supplied and respond to the complainant advising them of the outcome of their complaint.

7.5 A copy of the complaint/query and other relevant documents should be placed on the Tenant's file and a copy forwarded to the Business Support Manager for placing on the Complaints File.

### 8.0 STAGE 2

8.1 If the complainant is unhappy with the outcome of the complaint dealt with at Stage 1 they can escalate their complaint to the Complaints Panel. This will be an opportunity for the complainant to have the action to date reviewed and for earlier decisions to be modified where appropriate. The panel's role is to consider and resolve individual complaints where a satisfactory outcome was not achieved at the first stage.

8.2 The panel will consist of three members, comprising the following:-

- One member of the Senior Management Team
- Two Board Members; one of which will be a Tenant and the other a non-Tenant

- 8.3 To ensure impartiality, Panel members will confirm if they know the complainant.
- 8.4 The Business Support Manager will acknowledge the complaint in writing usually within **3 working days**.
- 8.5 The Complaints Panel will then require a report from the relevant investigating officer on the progress of the complaint up to date and the background to any actions taken. Where appropriate the Complaints Panel may call a meeting with those involved.
- 8.6 The Chair of the Complaints Panel will then respond to the complainant advising them of the outcome of their complaint. This will usually be **within 10 working days** of the receipt of the complaint.

## **9.0 APPEALS PROCESS**

- 9.1 If the complainant does not feel that the matter has resolved following Stage 2 of the process, they have the right to appeal and approach the Housing Ombudsman Service.
- 9.2 The HOS will only investigate complaints when the Association's own internal complaints procedure is exhausted, and the HOS will only consider the case eight weeks after the Association's process has been completed.
- 9.3 The Association will receive an initial enquiry from the HOS with details of the complaint together with a request for an investigation, to determine whether the complainant has exhausted the Association's complaints procedure.

## **10.0 OTHER COMPLAINTS/QUERIES**

- 10.1 If a complaint/query is received from a Designated Person, the complaint will be handled at stage 2, and will be dealt with by the Complaints Panel. The Business Support Manager will acknowledge the complaint in writing usually within **3 working days**. The Complaints Panel will then investigate the complaint and review any actions and respond to the complainant advising them of the outcome of their complaint. This will usually be **within 10 working days** of the receipt of the complaint.
- 10.2 If a complaint/query is sent directly to the Board then the Business Support Manager will reply on their behalf following the procedure and timescales above.
- 10.3 If a complaint/query relates to age, religion, religious belief, race, gender, gender reassignment, marriage or civil partnership, it can only be dealt with under the formal procedure for making a complaint/query.

10.4 If a complaint is received that relates to the Chief Executive, the Business Support Manager will log the complaint and pass the details to the Chair of the Board, as Line Manager. If the complaint is escalated to the formal stage, this will be handled at Stage 2, where the Complaint Panel will consist of:-

- Two Board Members, who do not include the Chair.
- One Board Member who is a Tenant.

## **11.0 EXIT SURVEY**

11.1 The investigating officer will be responsible for liaising closely with the complainant during the process, to ensure they are kept informed of what is happening. This liaison will also establish when the complainant agrees that the process has ended.

11.2 Complaints will be closed when the complainant states they are satisfied, and do not wish to take the matter further, or does not respond to our final outcome letter usually within 10 working days.

11.3 When the complainant feels that the process has ended the Business Support Manager will undertake an exit survey to find out how the complainant felt about the way the Association dealt with the complaint (see Survey at the end of this Policy).

## **12.0 COMPLIMENTS AND QUERIES**

12.1 A complimentary letter, or query, should always receive the courtesy of a reply, which should be in the form of a letter, usually **within 10 days** of receipt.

12.2 A copy of the complimentary letter should be passed to the relevant member of staff usually within 3 days of its receipt, and shared with all staff.

## **13.0 REPORT TO THE BOARD**

13.1 At the end of each financial year, the Chief Executive will review the complaints, compliments and queries received during the past year and review the relevant policies and procedures.

13.2 Compliments will be reported, along with complaints at each quarterly Board meeting.

## **14.0 STAFF TRAINING**

14.1 All staff should receive training on the role and purpose of the Complaints policy and procedure. On how to use it effectively, how to ensure Tenants understand its role and are able to use it. For new staff this should form part of their induction process. Staff who have not received training should inform their Line Manager.

## **15.0 GENERAL**

15.1 In the absence of the Business Support Manager from the office, complaints should be routed to the Business Support Administrator.

15.2 For written referrals to the Housing Ombudsman Service send to:

Housing Ombudsman Service  
PO Box 152  
Liverpool  
L33 7WQ

## **16.0 LEARNING OUTCOMES**

16.1 The Association will analyse each complaint to see if there are any lessons to be learnt following the outcome of a complaint; and will include a report in the annual audit of complaints paper presented to the Board each year.

## **17.0 POLICY REVIEW**

17.1 This policy will be reviewed annually and/or in relation to changes in relevant legislation, regulation and codes of practice.

17.2 This policy and procedure will be reviewed in accordance with Tenant participation structures and Tenant Involvement Policy.

# Complaints Survey

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Details of complaint:

## SECTION 1 – MAKING A COMPLAINT

**Q1.** Was it easy to make a complaint?  Yes  No

If no, please explain why:

**Q2.** How did you make your complaint?  
 Letter/email/fax  Telephone  In person  Someone else did it for you

**Q3.** Was the complaints process clear to you?  Yes  No

**Q4.** Were you offered any help in making the complaint?  Yes  No

**Q5.** Is there anything we could have done to make the process easier for you?

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## SECTION 2 – HANDLING YOUR COMPLAINT

**Q6.** Did you receive an acknowledgement letter telling you who would deal with your complaint and timescales for doing so?  Yes  No

**Q7.** Did we meet the timescales?  Yes  No

**Q8.** Was the complaint resolved to your satisfaction?  Yes  No

If no, why not?

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**SECTION 3 – OVERALL IMPRESSION**

**Q9.** Do you feel the complaint was dealt with in a reasonable timescale?  Yes  No

**Q10.** Would you say that your experience with the way your complaint was handled would stop you from complaining again?  Yes  No

If yes, why?

**Q11.** Overall, how would you rate the way your complaint was handled?  
 Excellent  Good  Fair  Poor  Very Poor

**Q12.** Please use the box below to provide further suggestions for how we can improve our complaints process or to add further comments.

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**Thank you for your time in completing this survey**