

CORPORATE	Complaints Policy C16
Providence Row Housing Association	VERSION: 7



## PRHA Complaints Policy

### 1. Introduction

Complaints are an important opportunity to promptly resolve individual residents' concerns about the service they are receiving.

Complaints are also important sources of information about resident satisfaction. PRHA views complaints as a positive opportunity to learn more about what our residents want from a service and how as an organisation we can improve our services by learning from complaints.

We recognise that sometimes things can go wrong and residents may be dissatisfied and wish to complain. PRHA's approach to complaints is therefore to encourage residents to complain if they are not happy with an aspect of the service, and to welcome this feedback.

### 2. Purpose

This policy is intended to provide a clear, simple and accessible approach for resolving matters locally where you are dissatisfied with our services, our staff or agents, or our procedures. It sets out what you can and should expect when you raise a complaint and ensuring that it is resolved promptly, fairly and outcome focused.

### 3. Definition

A complaint shall be defined 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'***.

We distinguish between a report or a request for service and a complaint. For example, someone who tells us that their tap is not working or that they have a problem with noise from a neighbour is asking for a service. Someone who says we have failed to do a reported repair or to give proper help in dealing with a neighbour problem is making a complaint.

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#### 4. Other feedback – suggestions and compliments

We welcome suggestions from residents that will help us to improve the services that we deliver. As the recipients of services, our residents are often best placed to advise us on how to improve what we do.

Compliments (positive feedback) can be about individual staff members, teams or generally about the services we provide. We will use positive feedback from residents to inform the development of services and procedures.

Suggestions and compliments can be made in the same way as complaints.

#### 5. Who can complain

The policy relates to all services within PRHA and is for use by anyone receiving a service from PRHA. This includes **residents (tenants & licensees), leaseholders** and people acting on behalf of residents. For the purposes of the policy, the term 'residents' is used to apply to all of these groups.

Complaints are accepted from groups of residents. The response will be sent to all members of the group who are named in the complaint.

You can choose to ask someone to complain on your behalf, support you with making a complaint and act as an advocate - for example, a friend or family member.

A lawyer or someone with legal training cannot complain on your behalf. This is because this is an internal process and not a legal one. The process aims to resolve your complaint without the need to go to Court or to discuss through our Solicitors.

You can contact the Housing Ombudsman Service which is a free independent, and impartial service that supports tenant and landlord disputes. They cannot investigate complaints before they have completed the complaints process but can take steps to encourage landlords and residents to work together to resolve a complaint. This may include contacting us to make enquiries about the status of your complaint.

#### 6. Enquiries from councillors and MPs (Member Enquiries)

We can accept enquiries from Councillors and MPs on your behalf. We aim to give a full response within 10 days to the councillor / MP, or keep them fully informed if a longer time is needed. Where an enquiry has been raised via a

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Councillor or MP our response will be made to the councillor or MP who will pass on our response to yourself as part of the Member Enquiry process.

In some circumstances we may decide that a complaint should also be logged formally, in which case it will be investigated and responded to in line with our Complaints Policy.

## **7. Exclusions**

There are some instances where the issue that you raise will not be dealt with via the complaints process, these are:

- If the complaint relates to an ongoing legal matter.
- Reported cases of anti-social behaviour (ASB) that will be addressed under ASB procedure unless you are complaining about how a case has been dealt with.
- A first request for service, information or an explanation of our policies and procedures.
- The complaint has been considered already.
- The complaint is being pursued in an unreasonable manner.

Complaints should be made within a reasonable period which would normally be within six months of the matter occurring. In exceptional circumstances we may decide to respond to a complaint outside of this timescale.

When a decision is made not to accept a complaint a detailed explanation will be provided setting out the reasons why the matter was not suitable for the complaints process.

You have the right to challenge the decision not to log the issue raised as a complaint by referring it to the Housing Ombudsman Service and where appropriate, they will instruct us how to take on the complaint.

## **8. Managing unacceptable behaviour**

In very extreme cases we can refuse to deal with complainants where the complaint is made in an aggressive or unreasonable manner. It is not reasonable to threaten, verbally abuse or attack our staff and be rude or offensive.

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## 9. Accessibility

In accordance with the Equalities Act 2010, reasonable adjustments will be made to the complaints policy, procedure and processes to accommodate an individual's needs. This may involve:

- allowing more time than we usually would for someone to respond or provide information; or
- providing specialist equipment or additional support, such as a sign language interpreter for a meeting

Each request for reasonable adjustments will be considered individually. To request a reasonable adjustment please contact the Complaints and Compliance Coordinator.

We will treat all complaints in line with our Equality and Diversity policy. PRHA values diversity and is committed to promoting equality of opportunity to ensure all residents are treated fairly.

## 10. How you can complain

We want to make it as easy for you as possible to raise a complaint. All residents have the choice of whether to make a complaint formal or informal and can make it in writing or verbally.

**Whichever method you choose to make your complaint, it will be handled in the same way and in line with the policy.**

**You can make a complaint in any of the following ways:**

- **by emailing to: [feedback@prha.net](mailto:feedback@prha.net)**
- **through your Housing Officer, Keyworker, Project Manager or another member of staff**
- **by telephone on 020 79207328 and speaking to the Complaints and Compliance Coordinator directly**
- **in writing either by letter or completing a complaints form**
- **in person, at our head office**
- **over the internet by visiting our website [www.prha.net](http://www.prha.net) and going to the 'Reporting a Complaint' page under the 'Residents' tab of the website.**

Complaints received via social media such as PRHA's Facebook page and Twitter will be logged and handled under the complaints process.

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If you need any help, please ask your Housing Officer or Support Worker at your scheme.

You may also want to ask for help from your local Councillor, a voluntary agency, relative or friend.

Confidentiality and privacy will be maintained at all times and in accordance with GDPR (General Data Protection Regulation May 2018) and the Data Protection Act 2018.

## **10. How will your complaint be handled**

There are two stages to the internal complaints procedure.

### **Stage one:**

#### ***Acknowledgement letter***

Within 5 working days from receipt of a complaint:

An acknowledgement letter will be sent to you informing you who is dealing with your complaint, how they can be contacted, and when you will receive a written response.

#### ***Stage one decision***

Within 10 working days from receipt of a complaint:

Once the required information is collected and a decision is made, a letter detailing the outcome of the investigation and any action taken as a result will be sent to you.

The outcome letter will inform you of your right to take your complaint to stage 2 if you are not happy with the outcome of stage 1.

### **Stage 1**

**In summary**, if there are no extensions to deadlines, the whole first stage process from receipt of your complaint, acknowledgement letter through to investigating the complaint and sending the outcomes letter should take no longer than 10 working days.

In some circumstances it may be felt that an extension to this is needed in order to fully investigate the issue and provide a response. Where this is the case you will be contacted and the reasons explained. See Section 12 "Extension to deadlines".

It will be clearly stated whether your complaint has been upheld, not upheld or partially upheld. Where a complaint contains multiple issues, each issue may

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be dealt with by a separate department but will still be treated as a single complaint, with the response addressing each issue separately.

## **Stage Two:**

If you are not satisfied with the outcome of Stage 1 of the procedure, the next stage is to send your complaint to the Complaints and Compliance Coordinator providing your reasons for dissatisfaction. On receipt of your complaint it will be logged and allocated to an appropriate staff member to carry out the investigation.

Stage 2 can be made verbally or in writing. If it is made verbally a staff member will write down the reasons that you give for the dissatisfaction with the Stage 1 response and will provide a copy to you to ensure this has been understood fully. Wherever possible you should be asked to confirm that this is correct & sign the complaint. The stage 2 complaint will be active from the date at which the verbal complaint is received.

### **Acknowledgement letter**

Within 5 working days of receipt of your stage 2 complaint:

An acknowledgement letter will be sent to you informing you who is dealing with your complaint, how they can be contacted, and when you will receive a written response.

### **Stage two decision**

Within 20 working days of receipt of your stage 2 complaint:

Once the required information is collected and a decision is made, a letter detailing the outcome of the investigation and any action taken as a result will be sent to you.

### **Stage 2-**

**In summary**, if there are no extensions to deadlines, the whole process from receipt of your complaint, acknowledgement letter through to investigating the appeal and sending the outcomes letter should take no longer than 20 working days.

In some circumstances it may be felt that an extension to this is needed in order to fully investigate the issue and provide a response. Where this is the case you will be contacted and the reasons explained. See Section 12 "Extension to deadlines".

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It will be clearly stated whether your complaint has been upheld, not upheld or partially upheld. Where a complaint contains multiple issues, each issue may be dealt with by a separate department but will still be treated as a single complaint, with the response addressing each issue separately.

## **11. Extension to deadlines**

PRHA has the discretion to extend response times by ten days at stages 1 and 2 where there is a good reason to do so. Examples of a 'good reason' could include:

- a delay by a third party in providing information over which PRHA has no control,
- requiring further time to undertake interviews
- needing longer to acquire all the information required from multiple sources to enable us to properly investigate a long-standing or complex case.

Where an extension is required, it will be assessed on a case by case basis and you will be kept informed.

## **12. When a complaint is closed**

PRHA has discretion when to close complaints. Circumstances when this would be appropriate include when:

- The investigation is complete and a response has been sent.
- After sending acknowledgement for a complaint and attempting to make contact to discuss the issues raised, there is no further contact from the resident.

When a complaint is closed, the response letter will make it clear what actions are needed from PRHA to resolve the issues raised in the complaint. Where it is not possible to complete those actions within the investigation period, a timescale for those actions will be provided in the response and you will be kept informed by the relevant department as to progress on those actions.

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### **13. Use of discretion**

PRHA reserves the right to use discretion when applying the policy and may deal with a complaint differently where individual circumstances merit it. When discretion needs to be applied, it will be done so fairly and appropriately and complaints will be progressed as far as possible to maximise the opportunity to resolve a dispute.

Where we receive multiple complaints from the same person while a complaint is being investigated then we reserve the right to include all of these in the one complaint investigation.

We also reserve the right not to respond to individual emails, letters etc. relating to existing complaints within the usual timescales if these are already being dealt with.

### **14. Appropriate remedy**

Complaints can be resolved in a number of ways. This policy requires that any remedy offered reflects the extent of any and all service failures, and the level of detriment caused to you as a result. These shall include:

- Acknowledging where things have gone wrong
- Providing an explanation, assistance or reasons
- Apologising
- Taking action, if there has been a delay
- Reconsidering or changing a decision
- Amending a record
- Providing a financial remedy where appropriate
- Changing policies, procedures or practices

When offering a remedy, we will clearly set out what will happen and by when, in agreement with the resident where appropriate.

In awarding compensation, we shall consider whether any statutory payments are due, if any quantifiable losses have been incurred as well as the time and trouble you have been put to as well as any distress and inconvenience caused. This will be in line with our Compensation and Ex-Gratia Payment Policy.

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## 15. Next steps after the internal complaints procedure

**If you still feel the complaint has not been sufficiently resolved, you should be clear what you remain unhappy about. Where possible, the Complaints and Compliance Coordinator will then continue to work with you to resolve your complaint.**

You can contact the Housing Ombudsman Service to investigate how we dealt with the matter but in accordance with the Ombudsman's procedures, you will need to wait eight weeks after receiving the final decision before submitting your complaint to them.

They will work to resolve your complaint in a number of ways. This could include:

- offering assistance and support to resolve the complaint between us, fairly and quickly
- suggesting possible ways for your complaint to be resolved, even if our complaints procedure has finished
- carrying out an investigation if they decide there is enough evidence to do this, for example if the case is complicated with lots of issues.

The contact details for the Housing Ombudsman Service are:

- **Online complaint form:** [www.housingombudsman.org.uk/residents/make-a-complaint/](http://www.housingombudsman.org.uk/residents/make-a-complaint/)
- **Phone:** 0300 111 3000
- **Email:** [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)
- **Postal address:** Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

## 16. Designated persons

If you remain dissatisfied with the response a designated person can help to resolve a complaint after the internal complaints procedure is finished. A designated person can help you right away and can help resolve the complaint in one of two ways; by trying and resolve the complaint themselves or by referring the complaint straight to the Ombudsman.

A designated person can be an MP or a local councillor. If the problem is still not resolved following the intervention of the designated person, either they or

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you can refer the complaint to the Housing Ombudsman Service. When the designated person refers a complaint to the Ombudsman, it must be in writing.

If you do not wish to refer your complaint to a designated person you must wait eight weeks after you have received your final response to your complaint and then refer your complaint directly to the Housing Ombudsman Service.

## **17. Continuous learning and improvement**

An effective complaints process enables us as your landlord to learn from the issues that arise for residents and to take steps to improve the services it provides and its internal processes.

We will proactively use learning from complaints to inform Board decision making, revise policies and procedures, to train staff and contractors and to improve communications and record-keeping.

We shall report back on wider learning and improvements from complaints to residents, managers and staff. Feedback will be regularly provided to relevant scrutiny panels and Board.

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