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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'***.

Whenever a resident expresses dissatisfaction we will offer them the choice to make a complaint.

We distinguish between a report or a request for service and a complaint. A service request is a request from a resident to PRHA requiring that we take action to put something right.

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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While a service request is not a complaint, PRHA records the service requests that have been made. This is in order for us to plan and undertake the appropriate actions to address the issues raised, and allows us to monitor, review, and identify learning from them.

Chasers on a service request, such as a missed appointment, can often be resolved 'there and then' with an apology and the provision of another appointment and may not need to enter the complaints system. However, if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.

A resident does not need to wait until all proposed actions have been undertaken, and can express their dissatisfaction with PRHA's response even if our handling of the service request remains ongoing. We will treat the original service request independently of our processes for handling their complaint, and we will not stop our efforts to address their service request while we investigate and respond to their complaint about how we have addressed their service request.

4. Other feedback – suggestions, compliments, and survey responses

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.

When dissatisfaction has been expressed in survey responses in relation to specific issues (such as the respondent noting service requests that have not been resolved to their satisfaction) and the resident has also provided consent to be contacted in order to discuss their responses, staff from the relevant department should contact them to further explore their dissatisfaction and to help resolve those issues. The resident will be offered the choice of raising their concerns as a formal complaint during these discussions.

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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 our internal complaints process has been concluded but they 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 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.

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- Reported cases of anti-social behaviour (ASB) that will be addressed under our 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 **twelve months** of the matter occurring. In exceptional circumstances we may decide to respond to a complaint outside of this timescale.

We will consider all complaints received on their own merit, and 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.

Where a tenant is contacting multiple individuals within PRHA to pursue their complaint we may choose to restrict that communication to a single nominated PRHA staff member in order to properly manage their complaint.

Where a tenant is contacting the same individual within PRHA with a frequency that is perceived to be unreasonable, or those communications are made in an aggressive or unreasonable manner, we may choose to inform the tenant that we will not be responding to each separate communication but instead will respond with a specified frequency. That frequency will be determined according to the circumstances of each individual complaint and will be clearly communicated to the tenant.

All decisions concerning unacceptable behaviour during the complaints process, and all restrictions that we may choose to introduce to manage unacceptable behaviour, will be in line with our Unacceptable Behaviour Policy. A copy of this will be provided to the tenant for which we are introducing restrictions, and we will fully document our decision and will provide the tenant with our justification for those restrictions.

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We record all incidents of unacceptable actions and any key decisions taken to restrict customer contact. PRHA will not set restrictions indefinitely, a review period will be based on the customer's circumstances and level of unacceptable behaviour.

Where we place restrictions on a resident's contact due to unacceptable behaviour we will ensure that those restrictions are appropriate to their needs. All decisions taken around restricting communication will have due regard for the circumstances of the individual resident and the provisions of the Equality Act 2010.

9. Accessibility

In accordance with our Reasonable Adjustments Policy and 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. Each request made, and each request agreed to, will be recorded to support review and learning in relation to making appropriate reasonable adjustments for our tenants and service users. 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. [A copy of our Reasonable Adjustments Policy is available on request.](#)

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**

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- **through your Housing Officer, Keyworker, Project Manager or another member of staff**
- **via the Complaints and Compliance Team (07921 700492)**
- **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 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.

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.

11. How will your complaint be handled

11.1 Early and local resolution:

The Ombudsman encourages the early and local resolution of issues between landlords and residents and recognises that there may be times appropriate action can be agreed immediately.

In circumstances where this is the case, and with your agreement, we may first offer to resolve the issues you have raised locally and outside of our formal process. This will only be undertaken where you have agreed, and we will still make a record of your complaint, your agreement for it to be resolved informally, and the final resolution achieved so that there is a full record made of your concerns and the actions undertaken to address them.

The potential for issues to be addressed via early and local resolution does not restrict or delay your access to our formal complaints procedure, and does not form an extra or "pre-complaint" stage. Our formal complaints procedure contains only two stages, and should you feel that your concerns are not being addressed appropriately via local resolution at any point during the process you may request for your concerns to be addressed instead via our formal procedure. We will then log your complaint as a formal Stage 1 complaint from that date and provide acknowledgement of this.

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11.2 Formal resolution:

Should you request your concerns be raised and responded to under our formal complaints procedure, we will:

- Acknowledge your complaints formally within 5 working days of it being received.
- Seek to confirm that our initial understanding of your complaint and the outcome you are seeking is correct, either directly or within our formal acknowledgement letter.
- Discuss your concerns with you to gain a full understanding of the issues and how you feel we could put things right for you.
- Aim to resolve your complaint as quickly as possible, and to let you know if there will be any delays with doing so.
- Discuss with you the actions we are proposing to resolve the issues, and to give you the opportunity to raise questions and comment on any concerns you may have with the remedy being offered.
- Be clear which aspects of the complaint PRHA are, and are not, responsible for; and clarify any areas with you where this is not clear.
- Be clear with you where we consider a desired outcome is not reasonable or is unrealistic or unachievable.
- Ensure that any remedy we may offer reflects the extent of any service failures and the level of detriment caused to you as a result those service failures.
- Be clear with you where we consider that a key issue of your complaint may relate to a legal obligation for ourselves as the landlord or for yourself as a tenant; and outline our further understanding of the obligations on either party after seeking clarification on such issues as appropriate.
- Adhere to any arrangements made around how we communicate with you, and on what frequency (both while we are investigating your complaint and during any follow on actions as part of the remedy offered).
- Provide our response to you within the timeframes specified in this Policy, which are in line with the Housing Ombudsman's Complaints Handling Code
- In the circumstances where our response to a complaint has fallen outside of the timescales set out in this Policy and in the Housing Ombudsman's Complaints Handling Code, we will agree with the resident suitable intervals for keeping them informed about their complaint.
- Be clear where our response to you includes scheduled or ongoing actions that are required or have been agreed in order for your concerns to be fully resolved, including a timescale for these actions where appropriate
- Track those scheduled actions to the point of completion and provide you with regular updates as to their status until all actions are complete.

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- Acknowledge where things have gone wrong and set out the actions we have taken, or intend to take, to put things right for you.
- Provide our response via your preferred method where this is possible, followed by a written response to fully address all points raised in the complaint and provide clear reasons for any decisions taken, referencing the relevant policy, law or good practice where appropriate.
- Where there is a decision not to uphold your complaint in part or in full, to clearly set out the reasons in our response and inform you of how to escalate your complaint within our formal procedure (Stage 1) or refer your complaint to the Housing Ombudsman (Stage 2) if you disagree with our decision.

Where a residents raises additional concerns or complaints during the Investigation of an ongoing Stage 1 complaint, these will be reviewed and one of two actions will be taken:

- The additional concerns or complaint will be incorporated into the existing Stage 1 response, if they are relevant and the Stage 1 response has not yet been issued.
- Where the Stage 1 response has been issued, the new issues are unrelated to the issues already being investigated, or an investigation of the new concerns would unreasonably delay our response, we will log and investigate your additional concerns as a new complaint

There are two stages to our internal complaints procedure.

11.3 Stage one:

Acknowledgement letter

Within 5 working days from receipt of a complaint:

An acknowledgement letter will be sent to you confirming our understanding of your complaint and the outcomes you are seeking, and 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 the date of our acknowledgement for 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.

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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 15 working days. This is based on the maximum of 5 working days to acknowledge the complaint followed by 10 working days to provide a response from the date of acknowledgement.

We will always calculate the 10 working days from the date of acknowledgement, so where we acknowledge earlier than 5 working days our target date for responding will then be shorter than the maximum 15 working days (from date of receipt).

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

Our Stage 1 response to you will include the following in clear, plain language:

- a. the complaint stage;
- b. the complaint definition (our understanding of the issues you have raised, as clarified with you during the complaint investigation process;
- c. the decision that has been made on the complaint (fully upheld, partially upheld, or not upheld);
- d. the reasons for any decisions made;
- e. the details of any remedy offered to put things right;
- f. details of any outstanding actions; and
- g. details of how to escalate the matter to stage 2 if you are not satisfied with the response

11.4 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 Team 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.

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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 may be asked to confirm that this is correct & sign the complaint, however you are not required to do so. The stage 2 complaint will be active from the date at which the verbal complaint is received.

While we will seek to discuss with you the reasons that you are dissatisfied with the Stage 1 response as this will help us to address those reasons and provide appropriate remedy, you will not be required to explain your reasons for requesting a stage 2 consideration. In line with the Housing Ombudsman's Complaints Handling Code, we will make reasonable efforts to understand why you are unhappy with our Stage 1 response as part of our investigation and Stage 2 response.

In the exceptional situation where we decline to escalate a complaint to Stage 2 of our procedure (for example if we view the stated reason for the escalation request as being invalid or subject to one of the exclusions noted in Section 7 of this Policy) we will clearly communicate those reasons to you in writing, and include details of how to refer our decision to the Housing Ombudsman.

Requests for escalation to Stage 2 of our complaints procedure should also be made within a reasonable period, which would normally be within three months of the date of our Stage 1 response. In exceptional circumstances we may decide to respond to a request for escalation that falls outside of this timescale.

The Housing Ombudsman is available to provide you with advice and guidance in relation to our Stage 1 response, including with your decision about whether to request escalation to Stage 2 of our complaints procedure.

Acknowledgement letter

Within 5 working days of your request to escalate your complaint to Stage 2 of our process:

An acknowledgement letter will be sent to you confirming our understanding of your complaint and the outcomes you are seeking, and 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 the date that we acknowledge your Stage 2 escalation request:

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.

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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 25 working days.

This is based on the maximum of 5 working days to acknowledge the escalation request followed by 20 working days to provide a Stage 2 response from the date of acknowledgement.

We will always calculate the 20 working days for a response from the date of acknowledgement, so where we acknowledge earlier than 5 working days our target date for responding will be shorter than the maximum 25 working days (from date of receipt).

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

Our Stage 2 response to you will include the following in clear, plain language:

- a. the complaint stage;
- b. the complaint definition (our understanding of the issues you have raised, as clarified with you during the complaint investigation process;
- c. the decision that has been made on the complaint (fully upheld, partially upheld, or not upheld);
- d. the reasons for any decisions made;
- e. the details of any remedy offered to put things right;
- f. details of any outstanding actions; and
- g. details of how to escalate the matter to the Housing Ombudsman if you are not satisfied with the response.

Stage 2 is our final response under the Complaints Policy, and therefore we will take steps to insure that the investigation process has involved input from all of the relevant staff members needed in order to issue our Stage 2 response.

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11.5 Complaints about contractors and other third parties operating on PRHA's behalf

Where a complaint is raised concerning the actions a contractor or other third party organisation that is acting on behalf of PRHA the responsibility for investigating and responding to the complaint remains with PRHA.

As part of this process we may ask the third party organisation to undertake their own investigation and to report their findings (including any actions take or proposed to be taken) to us. We will then review their response and any proposed actions for inclusion in PRHA's formal response to the tenant.

12. Extension to deadlines

PRHA has the discretion to extend response times 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 we feel an extension is required we will provide you with an explanation for this along with a clear timescale for when our response will be received.

Extensions at Stage 1: When deciding whether an extension is needed we will consider the individual circumstances and the complexity of the complaint. The extension period should not usually exceed a further 10 working days unless there is good reason for us to do this, and we will clearly inform you of the reasons for any decision taken to extend the timescale for a response. We will additionally provide you with the contact details of the Ombudsman for advice and support around our decision to extend the time for us to investigate and respond to your complaint.

Extensions at Stage 2: When deciding whether an extension is needed at Stage 2 we will consider the individual circumstances and the complexity of the escalation request. The extension period should not usually exceed a further 20 working days without good reason, and we will clearly inform you of the reasons for any decision taken to extend the timescale for a response. We will additionally provide you with the contact details of the Ombudsman for advice and support around our decision to extend the time for us to investigate and respond to your Stage 2 complaint.

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All extensions are assessed on a case by case basis and you will be kept informed.

13. 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.

14. 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.

15. 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:

- Apologising
- Acknowledging where things have gone wrong
- Providing an explanation, assistance or reasons

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- Taking action, if there has been a delay
- Reconsidering or changing a decision
- Amending a record, or adding a correction or addendum
- 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. Any remedy proposed will be monitored and followed through to completion.

When considering what remedies may be appropriate as part of a complaint response, each complaint needs to be considered on its own merits and individual circumstances. Reference to the Housing Ombudsman's guidance on appropriate remedies (available from their website) will help us to determine this, most commonly in relation (but not limited to) the following:

- Has the resident been adversely affected by our actions or omissions? If so, how and over what period of time?
- What other impact has there been on the resident, e.g. distress or inconvenience, time and trouble?
- Does the resident or their family have any disabilities or vulnerabilities which meant that they were more adversely affected by the issues that they have raised with us?
- Were there any other circumstances which meant that the circumstances of the complaint were more detrimental to them as an individual?
- Is it possible to restore the resident to the position they would have been in but for our service failure? If not, what remedies are needed to put matters right for the resident?
- Are there any wider outcomes to the complaint? What could we do to reduce the likelihood of a similar situation arising in future for our other residents?
- What does the resident want us to do to resolve their complaint?
- Is there an actual quantifiable financial loss – for example, has the resident incurred costs as a result of what happened, or not received payments that they should have?
- Did the resident's own actions or inactions, or those of a third party (for example a resident's advocate), contribute to the issues occurring, or affect the impact of the issues?
- What remedy would be proportionate, appropriate and reasonable in the circumstances of this case?

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

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caused. This will be in line with our Compensation and Ex-Gratia Payment Policy.

16. 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 Team will then continue to work with you to resolve your complaint.

You can also contact the Housing Ombudsman Service to investigate how we dealt with the matter. This can be done as soon as you have received our final (Stage 2) response following the conclusion of our internal complaints process.

Under the Housing Ombudsman Scheme, they would expect this referral to be made within 12 months of the date of our final decision.

The Housing Ombudsman 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 complaints form (available from the Housing Ombudsman's website at: www.housing-ombudsman.org.uk**
- **Phone:** 0300 111 3000
- **Email:** info@housing-ombudsman.org.uk
- **Postal address:** Housing Ombudsman Service, PO Box 152, Liverpool L33 7W
PO Box 1484, Unit D, Preston PR2 0ET

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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.

18. Publicising & awareness of PRHA's Complaints Policy

The latest version of this Policy will always be available for downloading from PRHA's website, and a copy of the most recent version is sent out with Stage 1 and Stage 2 acknowledgement letters so that complainants can directly refer to the Policy during the period we are processing their complaint.

Awareness information concerning our tenants' and service users' right to make a complaint, and information on how to make a complaint, will be sent out on a regular basis (at least annually). Such awareness material will include a website link allowing them to download a copy of our current Complaints Policy. It will also include information on contacting the Housing Ombudsman, and on the service that they can provide for our tenants.

Where there has been a major revision to of our Complaints Policy, for instance to incorporate changes that are required following revisions to the Complaints Handling Code by the Housing Ombudsman, we will send out full copies of the revised Complaints Policy to our tenants and service users.

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