

Paragon Asra Housing Limited

# Complaints Policy

October 2017

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| <b>Department</b>       | Customer Services                      |
| <b>Approved by</b>      | EMT 4 October 2017                     |
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**Paragon Asra Housing Limited (PA Housing) is committed to equality and diversity. This policy has considered the Equality Act 2010 and its protected characteristics which are: race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage, civil marriage and partnership, and pregnancy and maternity explicitly.**

**We will make sure that all of our communication is fully accessible and to achieve this if a policy or document needs to be available in other formats we will provide them.**

## AUDIT LOG

| Date of Change | Who updated | Details of the change |
|----------------|-------------|-----------------------|
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## **1 Introduction**

- 1.1 The aim of Paragon Asra Housing (PA Housing) is to provide excellent service to all of our customers, but we accept that from time to time things can go wrong. We are committed to ensuring the concerns of our customers are acknowledged and responded to, and that the organisation shares lessons learnt.
- 1.2 Complaints give us an insight into problems and concerns. We treat complaints seriously and we want to learn from the feedback they provide to improve the way we do things.

## **2 Objectives**

- 2.1 The objectives of the policy are to:
- define a complaint and make it clear who can make a complaint and how
  - explain the complaints process and who will deal with the complaint
  - give details of what to do in the case of a dispute.

## **3 Definitions**

- 3.1 What is a complaint?
- Where we have failed to provide a service, or there's been a delay in providing one.
  - Where we have failed to follow our policies and procedures, or have been unfair or inconsistent in applying them.
  - Where we have failed to keep a customer informed through lack of or insufficient information.
  - Where there has been inappropriate behaviour or attitude from our staff.
  - If a customer is in any way unhappy about the way we've delivered a service.
- 3.2 An enquiry is when a customer contacts us to ask us something about their home or tenancy, for example, information about their rent account. This is not a complaint but if we fail to provide this information then this could become a complaint.

A request is when a customer contacts us to ask us to do something to their home or tenancy, for example, a repair. This is not a complaint but if we fail to carry out the repair this may become a complaint.

- 3.3 What this policy does not cover:
- A complaint about neighbour nuisance and antisocial behaviour is not a complaint about our service. It will be dealt with under our Neighbour Dispute or Antisocial Behaviour policy. If we do not follow what we say in our policy, this may become a

complaint. If there is legal action, an insurance claim or a case being dealt with by the First Tier Tribunal (see section 9.4 below) these will not be dealt with under our Complaints policy.

- Once a complaint has been concluded and we have given our final decision, we will not reopen or reconsider a case.
- Customers are not able to complain about a PA Housing policy except on the grounds of equality. A complaint can be made if we have not acted in accordance with our policy, or to determine if the policy was adhered to correctly.
- We know that the number of properties we have available for customers to move into and transfer to unfortunately does not meet the demand. We will not accept a complaint about a transfer or allocation unless our policy has not been followed correctly.
- We will only deal with matters brought to our attention within a reasonable timeframe. Unless there is a good reason for not making a complaint at the time, the limit will be no more than twelve months after the event occurred, or the matter came to the notice of the complainant.
- On a small number of occasions we may withdraw the complaints procedure from a complainant whose behaviour is unreasonable, or we may have to restrict contact. An example of this would be if someone raises the same complaint several times in different ways. We will explain why we have taken this action to the complainant or their advocate.
- If customers are dissatisfied with the way we have handled their personal information, they have options. Either they can use this policy, contact our Data Protection Officer, or contact the Information Commissioner's Office on 0303 123 1113. PA Housing has a Data Protection policy in place which sets out how we must handle personal information.
- Where PA Housing has taken a commercial decision in line with our Corporate Plan and customer consultation and this does not meet the customer's expectations.

#### **4 Making a complaint**

- 4.1 If a customer wishes to make a complaint and needs help we will support them in any way we can. Complaints can be made by any means. This includes by letter, telephone, in person, email, our website, or the customer feedback/complaints leaflet. The leaflet is available from our offices or through our website.
- 4.2 Complaints sent to the Chief Executive or any member of the Executive Management Team will be dealt with in accordance with this policy and managed by the appropriate officer.

- 4.2 A complaint made in the form of a petition on behalf of multiple customers will be treated as one complaint; interactions and correspondence will be directed to the nominated signatory.
- 4.4 Complaints can be received through any source, including from people acting as advocates, providing they have the complainant's consent. This includes relatives, neighbours and agencies.
- 4.5 Where a customer cannot complain unaided and cannot give consent because they lack capacity within the meaning of the Mental Capacity Act 2005, complaints will be accepted from a representative acting in the customer's best interests. For example, where the matter complained about, if true, would be detrimental to the customer.
- 4.6 Anonymous complaints will be investigated and we will report the outcome to our involved residents' forum. A solicitor or law centre may refer a complaint on a customer's behalf, however we will not engage with solicitors or legal representatives during the complaints process.

## **5 What happens when a complaint is received**

- 5.1 As soon as we receive a complaint our team will work with those involved to resolve any outstanding issues. We will acknowledge the complaint and say who will deal with it. We will then resolve it as quickly and effectively as possible.

Stage 1: The Complaints Co-ordinator or appropriate manager will consider the complaint and may contact the complainant discuss it with them to ensure that we fully understand the issue. If the complaint crosses two or more areas of service, one person will take responsibility for responding to all the issues raised. We will write to the complainant after considering the complaint to inform them of the result. We aim to respond to complaints at stage 1 within 10 working days.

If the complaint is not resolved after stage 1 the complainant will have 28 working days to respond and explain why.

Stage 2: If the complainant tells us the problem has not been resolved by the stage 1 process and why, a senior manager will look at the problem again and will work together with the complainant to arrive at an appropriate outcome. We will do everything possible to resolve the complaint at this stage, including providing any compensation due. We aim to respond to complaints at stage 2 within 10 working days.

## **6 Timescales for dealing with a complaint**

- 6.1 We will deal with all complaints as quickly as possible. We will:
- acknowledge a complaint within 3 working days of receipt

- send a full response within 10 working days or send a letter explaining why there is a delay and when a response can be expected
- respond within 10 working days of being notified that the issue has not been resolved

6.2 On rare occasions we may decide to shorten the process if the complaint:

- is sufficiently serious for senior management to deal with it from the start
- is being pursued unreasonably
- where the customer cannot be specific over what they wish us to do and we can add nothing further
- the issue raised through the complaint is outside our control, or involves changing a decision outside our control
- if legal action is taken. In this case the process will be stopped in order to deal with the legal action.

6.3 There may be other reasons why we have to shorten the process, but if we do, we will explain why we have done so.

## **7 Putting things right**

7.1 We will take various measures to put things right following a complaint and we will apologise if we are at fault. We want to use the feedback to learn from our mistakes. Where a complaint results in a change to a policy or a service, we will inform the complainant of the change.

7.2 Closure of a complaint may take place before a matter is completely resolved and we may make a commitment to provide a service within a clear timescale, for example, an agreement to provide repairs through the planned maintenance programme.

## **8 Safeguarding complaints**

8.1 PA Housing actively works to safeguard children, young people and vulnerable adults from harm. We have a duty to tell Social Services if there are any protection concerns about any of our residents, whether the concerns are identified by staff or directly reported to them through the complaints process. Social Services and the police are responsible for leading all investigations of abuse.

8.2 PA Housing has detailed procedures that cover reporting of abuse and neglect, and these follow different local safeguarding information sharing protocols. The Head of Housing Services is the safeguarding lead and will report the information.

## **9 What if the customer is still unhappy?**

- 9.1 The complainant can contact a 'designated person' (as described in section 12 below) at any time following receipt of their complaint.
- 9.2 If all avenues of resolution and escalation within the Complaints policy are exhausted, and a complainant is still dissatisfied with the outcome, a request can be made that the complaint is further escalated externally.
- 9.2 Alternatively a complainant can contact the Housing Ombudsman Service, but not until 8 weeks after the exhaustion of our complaints process. This is a free, democratic and external independent service. The Ombudsman will decide if the complaint is appropriate for them to consider. For example, the Ombudsman would not normally consider service charge problems, and sometimes a complaint may not fall within their jurisdiction. Their contact details are:

Housing Ombudsman Service  
Exchange Tower  
Harbour Exchange Square  
London  
E14 9GE

Phone: 0300 111 3000

Minicom: 020 7404 7092

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

For more information, please visit the Ombudsman's website at [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk).

- 9.3 Long leaseholders, shared owners and freeholders can get advice from The Leasehold Advisory Service if there is a dispute regards a lease. They can be contacted on 020 7832 2500  
Email: [info@lease-advice.org.uk](mailto:info@lease-advice.org.uk)  
Website: [www.lease-advice.org.uk](http://www.lease-advice.org.uk)
- 9.4 Leaseholders can also apply to the First Tier Tribunal (Property Chambers) to resolve complaints that have been through all stages of the complaints process regarding complaints about Service Charges and the terms of lease agreements. The Tribunal is a special branch of the UK legal system that deals with property disputes.
- It is independent of the Government but can be reached through the gov.uk website: <https://www.gov.uk/housing-tribunals>
- 9.5 The Local Government Ombudsman can consider complaints about councils and all types of care service for adults in England. Care homes are registered with and regulated by the Care Quality Commission (CQC). The CQC cannot get involved with



individual complaints but can receive information about our services at any time. They can be contacted on 0300 061 0614

## **10 Training**

- 10.1 We will carry out induction and refresher training for all staff to ensure they are aware of the Complaints policy and of our commitment to excellent service delivery standards and targets. All managers will receive specific training to provide the skills and knowledge to comply with this policy.

## **11 Monitoring and reporting**

- 11.1 We record all complaints, regularly monitor our progress in handling them, and measure our performance against targets. We compare our performance within PA Housing, and benchmark against other similar housing associations. We report regularly to our Executive Management Team, Operations Team and our Board on lessons learnt, and service improvements and changes to policies made as a result of feedback from complaints.
- 11.2 Our complaints service is also subject to internal audit.
- 11.3 Performance on complaints and how complaints have been used to improve services is reported on a quarterly basis to our involved residents, so that they can hold us to account and recommend improvements. Performance on complaints is also published in the Annual Report to residents.

## **12 Legislation**

- 12.1 The key piece of legislation is the Localism Act 2011. Under this Act, a complainant can refer their complaint to a 'designated person' any time after receipt of their complaint by PA Housing. The 'designated person' may be an MP, a local authority councillor in the authority area where the complainant lives, or a member of a designated tenant panel recognised by PA Housing for the purpose of referring complaints to the Housing Ombudsman Service.
- 12.2 The Act sets out time limits to refer complaints to the Housing Ombudsman. For tenants these limits are between 8 weeks and 6 months after the closure of the complaint by PA Housing. PA Housing will investigate any complaints raised up to 12 months after the closure of the complaint.
- 12.3 Long leaseholders were omitted as tenants in the Housing and Regeneration Act 2008 and this caused confusion about whether they could go to the Housing Ombudsman. This has been clarified by the Localism Act and long leaseholders are now covered by the Housing Ombudsman service.
- 12.4 Further information can be found on the Chartered Institute of Housing website: [www.cih.org](http://www.cih.org) .