

Paragon Asra Housing Limited

# PA Housing Complaints Policy

April 2021

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**Owning manager**

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**Department**

Customer Experience

**Approved by**

Rachael Smart

**Next review date**

September 2022

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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
26 March 2021	Derek Crook	<p>This document details PA Housing's new Complaints Management Policy, taking into account the Housing Ombudsman's (HOS) complaint handling code.</p> <p><b>Key changes:</b></p> <ul style="list-style-type: none"> <li>Uses the HOS definition of a complaint</li> <li>Removes the process details – these will be included in a separate procedure.</li> <li>Details the two stage complaint process, and the stage 0 service request designed to prevent issues escalating into complaints.</li> <li>Response times for a Stage 2 complaint has changed from 10 days to 15 days.</li> <li>Provides more details on reasonable adjustments and access to complaints, including referrals from solicitors if acting on behalf of a customer</li> <li>Enhances the lessons learnt and role of residents in terms of helping us to learn from issues and taking steps to improve services</li> <li>Timescale for accepting complaints has changed from 12 months to 6 months.</li> </ul>
26 – 30 March 2021	Resident Complaint Panel, Involved Residents, EMT, Leadership & ADs	Tweaks to the policy following consultation with Involved Residents, EMT, ADs, and Leadership.

## 1 Introduction

- 1.1 This document details PA Housing's new Complaints Management Policy.
- 1.2 Our aim is to provide excellent service to all 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 investigated and responded to.
- 1.3 Complaints give us an insight into problems and concerns 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.
  - be clear, simple, accessible and to ensure complaints are resolved promptly, professionally and fairly.
  - provide details of what customers can do if they are not happy with the resolution or decision, and what they can do to appeal.
  - create business practices where all employees listen, update, resolve and learn from customer complaints.

## 3 Definitions

- 3.1 The Housing Ombudsman complaints handling code has been implemented to raise standards in complaint management across the sector. We have aligned our complaints approach, and now use the Housing Ombudsman definition of a complaint:

*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.*

- 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.
- 3.3 A **service 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.

## **4 Making and Resolving A Complaint**

- 4.1 If a customer wishes to make a complaint and needs help, we will support them in any way we can, and in all instances will try to resolve any expression of dissatisfaction at the first point of contact. Complaints can be made by any means. This includes by My PA, letter, telephone, in person, email, our website, social media, or customer feedback.
- 4.2 PA Housing is committed to ensuring that people are not disadvantaged in accessing our services. As such we will make reasonable adjustments as required (See Appendix 1).
- 4.3 Complaints (at Stage 1 and Stage 2) will be dealt with in accordance with this policy and managed by the Customer Experience Team, who will ensure the complaint is managed and monitored to resolution.
- 4.4 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.
- 4.5 Complaints can be received through any source, including from people acting as advocates. This can be relatives, neighbours, agencies, and solicitors, providing they have the complainant's consent.
- 4.6 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.
- 4.7 Anonymous complaints will be investigated and we will report the outcome to our involved residents' forum.

## **5 Our Complaint Approach**

- 5.1 We have a two Stage process for complaints to ensure our customers have the opportunity to challenge our decisions and for these to be reviewed.
- 5.2 Regular updates, even without a definitive outcome, will be provided to help customers feel reassured and that someone is working on their behalf to put things right.
- 5.3 We will create business practices where all employees listen, update, resolve and learn from customer complaints.

5.4 As soon as we receive a complaint, our Customer Experience Team will keep the customer updated and work with those involved to resolve any outstanding issues, resolving issues as quickly and effectively as possible. If the complaint is upheld, PA Housing will offer an explanation and an apology. If it is appropriate, then we will take any actions needed to solve the problem fully, which may include a compensation payment.

- **Stage 0 Service Request (Front Line Resolution)**

5.5 Often a customer's concerns can be resolved at 'first point of contact' and will not need to go through our two stage complaints process. These are known as 'Stage 0 Service Requests'. Initially staff should always try and help a customer and try to resolve any problems they have at first point of contact. The emphasis is on resolving problems and putting them right with the minimum of delay.

5.6 Not all requests will be suitable for frontline resolution, however we will empower our staff to do what they can to progress any concerns at the first point of contact.

5.7 We would expect issues that are straightforward and easily resolved, requiring little or no investigation, to be provided with an 'on-the-spot' apology, explanation, or other action to resolve the request immediately, unless there are exceptional circumstances.

- **Stage 1 Complaint Investigation**

5.8 When we first receive a complaint we aim to agree a solution with our customer within 10 working days. If the complaint is particularly complex, we may on occasion need longer than 10 days to resolve. In these instances, the customer will be kept informed and regularly updated on the reasons for this.

- **Stage 2 Escalated Complaints**

5.9 If the customer is not happy with the decision they have received from us at Stage 1, they have the right for this to be reviewed at Stage 2.

5.10 A definitive response will be provided within 15 working days following a thorough investigation of the points raised. If the complaint investigation

and/or resolution is particularly complex, we may on occasion need longer than 15 days to resolve. In these instances, the customer will be kept informed and regularly updated on the reasons for this.

## **6 Putting Things Right**

- 6.1 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.
- 6.2 We will complete a case when we have agreed a solution with our customer and we may make a commitment to provide a service within a clear timescale. However a complaint will not be closed until all outstanding actions are completed, for example, an agreement to provide repairs through the planned maintenance programme.
- 6.3 Complaints highlight to us which services are working well and which need a closer look. We will use feedback from complaints to learn from our mistakes.
- 6.4 We will involve our resident groups and involved residents to review our complaint performance and consider feedback and lessons learnt from complaints. This will help us to learn from issues that arise and take steps to improve services, as well as making sure the way we handle complaints is fair and transparent to all.

## **7 Safeguarding**

- 7.1 If we receive a complaint about safeguarding we will follow the steps set out in our safeguarding policy to address it. We have detailed procedures and that follow the different local safeguarding Infor sharing protocols. The AD of Housing and Head of Housing services are the safeguarding leads and will report the information.

## **8 What If Our Customer Is Still Unhappy?**

- 8.1 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.
- 8.2 A complainant can contact the Housing Ombudsman Service, at any time, although in most instances, the Ombudsman will request the customer exhausts the organisations Complaint Policy first and will only consider

cases eight weeks after our final response. This is an independent, impartial and free 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: Phone: 0300 111 3000,

Minicom: 020 7404 7092,

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

[www.housingombudsman.org.uk](http://www.housingombudsman.org.uk)

8.3 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)

8.4 Leaseholders can also apply to the First Tier Tribunal (Property Chambers) to resolve complaints that have been through all stages of the complaints Policy 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 Exclusions

9.1 There are some circumstances where a matter will not be considered a complaint. If they fall under these areas we will advise the customer and explain the reasons why.

9.2 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.

9.3 If there is legal action, an insurance claim, or a case is being dealt with by the First Tier Tribunal, these will not be dealt with under our Complaints Policy.

9.4 A complaint about the level of rent or service charges is not a complaint about our service. If we do not follow what we say in our policy, this may become a complaint.

9.5 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 or the complaint is about the service received.

- 9.6 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 6 months after the event occurred, or the matter came to the notice of the complainant. However, if the problem is a recurring issue then we will consider older reports as part of the background to help to resolve the issues for the customer.
- 9.7 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 (See Unacceptable Behaviour Policy)
- 9.8 If customers are dissatisfied with the way we have handled their personal information, 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

## **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, Customer Services Committee 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 annually to our residents.

## 12 Legislation

12.1 The key 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 6 months after the closure of the complaint.

12.3 Further information can be found in 'The charter for social housing residents: social housing white paper', which sets out the actions the government will take to ensure that residents in social housing are safe, are listened to, live in good quality homes, and have access to redress when things go wrong: <https://www.gov.uk/government/publications/the-charter-for-social-housing-residents-social-housing-white-paper>