

Complaints & Compliments Policy

Prepared By	Chief Executive & Operations Manager
Date Approved	18 th June 2024
Review Frequency	3 Years

1. Introduction

Family Housing Association (FHA) aims to provide excellent quality services. We can only be sure we are succeeding from the feedback from our tenants, local residents, applicants, and partner agencies/stakeholders accessing those services. Whether it is a complaint or a compliment, we will always be happy to hear from service users. Effective complaint handling should be a user-friendly process that enables complainants to be heard and understood. FHA aims to have a strong and positive complaint handling culture, extending fairness to the benefit of all tenants and residents. FHA aims to resolve complaints early, without potential referral to the Ombudsman. This leads to better services and strengthens our relationships with tenants and residents. This Policy sets out how FHA will handle any complaints and compliments that we receive.

2. Legal Framework

The Social Housing (Regulation) Act 2023 (the Act) empowered the Housing Ombudsman to issue a code of practice about the procedures members of the Scheme should have in place for considering complaints. The statutory Code took effect from 1 April 2024. This policy shows how FHA complies with the Complaints Handling Code.

3. Definition

The definition of a complaint shall be defined as:

An expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by FHA, its own staff, or those acting upon our behalf, affecting an individual tenant, resident or group of tenants or residents.

The complainant does not have to use the word 'complaint' in order for it to be treated as such. Whenever a resident expresses dissatisfaction, FHA will give them the choice to make a complaint. A complaint submitted via a third party or representative will be checked to ensure it is authentic and permission needs to be given by the resident for FHA to share information with the representative or third party. If they do, the complaint will be handled in line with this policy.

3.1 Service Requests

FHA recognises the difference between a service request and a complaint. A service request is a request from a resident to FHA requiring action to be taken to put something right. Service requests are not complaints, but will be recorded, monitored, and reviewed regularly.

A complaint will be raised when the tenant or resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. FHA will not stop efforts to address the service request if the tenant or resident complains.

3.2 Surveys

An expression of dissatisfaction with services made through a survey is not automatically defined as a complaint. This is explained to tenants in survey forms and tenants are advised to contact us should they wish to raise a complaint. FHA reviews all feedback on surveys. Depending on the nature of the negative feedback, Officers may contact the tenant and ask whether they would like to raise a complaint.

3.3 Online Reviews / Social Media

If someone makes negative comments or gives FHA a poor rating online or through social media it will not automatically be defined as complaint. FHA reviews all any ratings and comments made online and through social media. Depending on the nature of the poor rating or negative comment, Officers may contact the person who made it and ask whether they would like to raise a complaint.

3.4 Exclusions

FHA will accept a complaint unless there is a valid reason not to do so. If FHA decides to not accept a complaint, we will evidence our reasoning. Each complaint will be considered on its own merits.

FHA will accept complaints made within 12 months of the issue occurring or the tenant becoming aware of the issue, unless it is excluded on other grounds. FHA will consider what information is still available and how reliable that information is to assess whether to accept a complaint outside of this timescale.

Exclusions to a complaint being considered will only be:

- If legal proceedings have been started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court. In such instances, Family Housing Association will ensure that the complainant is made fully aware of the legal proceedings being referred to and if possible, keep complainants updated, depending upon the legal advice available.
- If the matter being complained about has already been considered under the Complaints Policy.
- The issue giving rise to the complaint occurring over twelve months ago, and sufficient and/or reliable information not being available.

If FHA decides not to accept a complaint, an explanation will be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, FHA will follow the Ombudsman instruction to accept the complaint.

FHA will not take a blanket approach to excluding complaints; we will consider the individual circumstances of each complaint.

4. Accessibility and Awareness

FHA will make it easy for residents to complain by providing different channels through which they can make a complaint. Complaints may be received in person, by telephone, by text, email, letter, FHA's website or via social media. For complaints made via public platforms, FHA will respond privately to respect the confidentiality of the complainant and the content of their complaint. FHA will consider our duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of tenants and residents who may need to access the complaints process.

Tenants and residents can raise their complaints in any way and with any member of staff. All staff are aware of the complaints process and are able to pass details of the complaint to the appropriate person within FHA.

High volumes of complaints are not to be seen as a negative. FHA recognises they can be indicative of a well-publicised and accessible complaints process. FHA recognises that low complaint volumes are potentially a sign that residents are unable to complain.

The Complaints and Compliments Policy, Complaints Handling Code self-assessment, information about the Ombudsman and this code will be on the FHA website and a printed copy available on request. It is promoted in leaflets, newsletters, Annual Report, on the FHA website and social media and as part of regular correspondence using plain language. Details of accessing the Housing Ombudsman Service will be made clear.

Complainants are able to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with FHA. Permission needs to be given by the complainant for FHA to share information with the representative. This is communicated to all complainants. Throughout the process, FHA provides complainants with information on their right to access the Ombudsman Service and how the individual can engage with the Ombudsman about their complaint.

5. Complaint Handling Staff

The Management Team at FHA take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the Board.

The Management Team have access to staff at all levels to facilitate the prompt resolution of complaints. They also have the authority and autonomy to act to resolve disputes promptly and fairly.

FHA prioritises complaint handling and a culture of learning from complaints. All staff are suitably trained in the importance of complaint handling. FHA recognises that complaints are seen as a core service and are resourced to handle complaints effectively.

6. Principles

Each stage of the complaints process includes expected timescales for investigation and response, after which a complainant can request escalation of a complaint. FHA as a landlord will not unreasonably refuse to escalate a complaint through all stages of the complaints procedure.

A full record will be kept of the complaint, any review, and the outcomes at each stage. This includes the original complaint and the date received, all correspondence with the tenant or resident, correspondence with other parties and any reports or surveys prepared.

All FHA staff are aware of the complaints handling process and receive regular complaints awareness training to ensure they deal with them appropriately and escalate to the correct staff member. The Management Team will undertake regular complaints handling training.

The complainant, and if applicable any staff member who is the subject of the complaint, will be given a fair chance to:

- set out their position
- comment on any adverse findings before a final decision is made

Should the complainant be subject to any restrictions in contacting FHA under the Unacceptable Behaviour Policy, FHA will make reasonable adjustments to ensure that the complainant is given ample opportunity to communicate the information required in order to deal with their complaint. Once the complaint handler has the information required, the restrictions will be reinstated until further communication is required.

7. The Complaint Handling Process

- 7.1 FHA has a single policy in place for dealing with complaints covered by this Code.
- 7.2 FHA will not treat Tenants / Residents differently if they complain.
- 7.3 As a small housing association, our properties and tenants are all local to the office. FHA recognises early and local resolution of issues between landlords and tenants and residents is key to effective complaint handling.
- 7.4 FHA would not allow a third party (such as contractor) to handle a complaint. The complaint handler might liaise with a third party as part of the stage 1 or stage 2 response.
- 7.5 When a complaint is logged at stage 1 or escalated to stage 2, FHA will set out our understanding of the complaint and the outcomes the tenant or resident is seeking. This is referred to as the complaint definition. If any aspect of the complaint is unclear, the resident will be asked for clarification.
- 7.6 When a complaint is acknowledged at either stage, FHA will be clear in stating which aspects of the complaint we are, and are not, responsible for and clarify any areas where this is not clear.
- 7.7 At each stage of the complaints process, complaint handlers will:
 - a) deal with complaints on their merits, act independently, and have an open mind
 - b) give the tenant or resident a fair chance to set out their position
 - c) take measures to address any actual or perceived conflict of interest; and
 - d) consider all relevant information and evidence carefully
- 7.8 Where a response to a complaint will fall outside the timescales set out in this policy, FHA will agree with the resident suitable intervals for keeping them informed about their complaint.
- 7.9 FHA will make reasonable adjustments for tenants or residents where appropriate under the Equality Act 2010. FHA will keep a record of any

reasonable adjustments agreed, as well as a record of any disabilities a tenant or resident has disclosed. Any agreed reasonable adjustments will be kept under active review.

- 7.10 FHA will not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do so. FHA will clearly set out these reasons and comply with the provisions set out in Complaints Handling Code.
- 7.11 A full record will be kept of the complaint, and the outcomes at each stage. This includes the original complaint and the date received, all correspondence with the resident, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.
- 7.12 FHA has processes in place to ensure that a complaint can be remedied at any stage of its complaints process. FHA ensures that appropriate remedies can be provided at any stage of the complaints process without the need for escalation.
- 7.13 FHA has an Unacceptable Behaviour Policy for managing unacceptable behaviour from residents and/or their representatives. FHA will evidence reasons for putting any restrictions in place and will keep restrictions under regular review.
- 7.14 Any restrictions placed on contact due to unacceptable behaviour will be proportionate and demonstrate regard for the provisions of the Equality Act 2010.

8. Complaint Stages

Stage 1.

- 8.1 Stage 1 complaints will be handled by a member of the Management Team. Which member of the Management Team depends on workload capacity, availability, subject matter, and any potential conflict of interest. That person will be clearly identified to the complainant.
- 8.2 The complaint handler will consider which complaints can be responded to as early as possible and which require further investigation. They will consider factors such as the complexity of the complaint and whether the tenant is vulnerable or at risk. FHA recognises that some complaints can be resolved promptly and an explanation, apology or resolution provided to the tenant or resident.
- 8.3 The complaint will be acknowledged, defined, and logged at stage 1 of the complaints procedure within five working days of being received.
- 8.4 In the acknowledgement, advice will be given to the complainant about their right to access the Housing Ombudsman Service throughout their complaint, not only when FHA's complaints process is exhausted. This affords the complainant the opportunity to engage with the Ombudsman's dispute support advisors for impartial advice.
- 8.5 FHA will issue a full response to stage 1 complaints within 10 working days of the complaint being acknowledged.

- 8.6 FHA will decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the tenant or resident of the expected timescale for response. Any extension will be no more than 10 working days without good reason, and the reason(s) will be clearly explained to the tenant or resident. If any extension is required, FHA will provide the contact details for the Housing Ombudsman.
- 8.7 A complaint response will be provided to the tenant or resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions will still be tracked and actioned promptly with appropriate updates provided to the resident.
- 8.8 FHA will address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.
- 8.9 Where tenants or residents raise additional complaints during the investigation, they will be incorporated into the stage 1 response if they are related, and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues will be logged as a new complaint.
- 8.10 FHA will confirm the following in writing to the tenant or resident at the completion of stage 1 in clear, plain language:
- the complaint stage
 - the complaint definition
 - the decision on the complaint
 - the reasons for any decisions made
 - the details of any remedy offered to put things right
 - details of any outstanding actions
 - details of how to escalate the matter to stage 2 if the resident is not satisfied with the response

9. Stage 2.

- 9.1 Stage 2 complaints will be dealt with by a different member of the Management Team to the Officer who handled stage 1. When possible this Officer will be senior to the Officer that handled the Stage 1 complaint.
- 9.2 Which member of the Management Team depends on workload capacity, availability, subject matter, and any potential conflict of interest. That person will be clearly identified to the complainant.
- 9.3 If all or part of the complaint is not resolved to the resident's satisfaction at stage 1 it will be progressed to stage 2 of the complaint's procedure. Stage 2 is FHA's final response.
- 9.4 Requests for stage 2 will be acknowledged, defined and logged at stage 2 of the complaints procedure within five working days of being received.
- 9.5 Complainants will not be required to explain their reasons for requesting a stage 2 consideration. The complaint handler will make reasonable efforts to understand why the complainant remains unhappy as part of the stage 2 response.

- 9.6 FHA will issue a final response to the stage two within 20 working days of the complaint being acknowledged.
- 9.7 FHA will decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension will be no more than 20 working days without good reason, and the reason(s) will be clearly explained to the tenant or resident. If any extension is required, FHA will provide the contact details for the Housing Ombudsman.
- 9.8 A complaint response will be provided to the tenant or resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions will still be tracked and actioned promptly with appropriate updates provided to the resident.
- 9.9 FHA will address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.
- 9.10 FHA will confirm the following in writing to the tenant or resident at the completion of stage 2 in clear, plain language:
- The complaint stage
 - The complaint definition
 - The decision on the complaint
 - The reasons for decisions made.
 - The details of any remedy offered to put things right.
 - Details of any outstanding actions.
 - Details of how to escalate the matter to the Housing Ombudsman Service if the complainant remains dissatisfied.
- 9.11 Stage 2 is FHA's final response and will involve all suitable staff members needed to issue such a response.

10. Putting Things Right

- 10.1 Where something has gone wrong FHA will acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include:
- apologising
 - acknowledging where things have gone wrong
 - providing an explanation, assistance, or reasons
 - 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
 - changing policies, procedures, or practices.
- 10.2 The remedy offered will reflect the impact on the tenant or resident as a result of any fault identified.
- 10.3 FHA will take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.

- 10.4 Factors FHA will consider in formulating a remedy can include, but are not limited to, the:
- length of time that a situation has been ongoing
 - frequency with which something has occurred
 - severity of any service failure or omission
 - number of different failures
 - cumulative impact on the complainant
 - complainant's particular circumstances or vulnerabilities.
- 10.5 The remedy offer will clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed will be followed through to completion.

11. Equality & Diversity

If a complainant's disability or mental health limits their capacity to understand, the Association will engage with or offer to refer the tenant to the appropriate support services.

If a complainant has none or limited ability to speak English, the Association will arrange a translation service and approach the local Multi Cultural Centre for support.

The complainant is invited to share any other factors that they wish for the Association to take into account within clear timescales.

12. Data Protection

The complainant may need to share personal and sensitive information. That information will only be used solely for the purpose of investigating and resolving the complaint. The information is stored on the Housing Management system. It will not be shared outside of the Association without the tenant's consent.

13. Monitoring and Self-Assessment

- 13.1 Every tenant is invited to take part in the Annual Tenant Satisfaction Survey in which there is a question about complaints handling. FHA uses this information to understand where things are going well and where things can improve.
- 13.2 FHA will produce an annual complaints performance and service improvement report for scrutiny and challenge, which will include:
- a) the annual self-assessment against this Code to ensure our complaint handling policy remains in line with its requirements
 - b) a qualitative and quantitative analysis of FHA's complaint handling performance, including a summary of the types of complaints FHA has refused to accept
 - c) any findings of non-compliance with this Code by the Ombudsman
 - d) the service improvements made as a result of the learning from complaints
 - e) any annual report about the landlord's performance from the Ombudsman
 - f) any other relevant reports or publications produced by the Ombudsman in relation to the work of FHA
- 13.3 The annual complaints performance and service improvement report will be reported to the Board, Customer Panel and published on the website. The Board's response to the report will be published alongside this.

- 13.4 FHA will also carry out a self-assessment following a significant restructure, merger and/or change in procedures.
- 13.5 FHA will review and update the self-assessment following instruction from the Ombudsman.
- 13.6 If FHA is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, we will inform the Ombudsman, provide information to residents who may be affected, and publish this on the website. FHA will provide a timescale for returning to compliance with the Code.

14. Scrutiny & Oversight: Continuous Learning and improvement

- 14.1 At the conclusion of all complaints, the Management Team will review the outcomes and ensure that any changes to improve service delivery are shared with all staff and acted upon. Any themes or trends will be assessed to identify potential systemic issues, serious risks or policies and procedures that require revision. This will also be used to inform staff and contractor training.
- 14.2 FHA will look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.
- 14.3 FHA recognises that positive complaint handling culture is integral to the effectiveness with which we resolve disputes. FHA use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.
- 14.4 Accountability and transparency are integral to a positive complaint handling culture. FHA will report back on wider learning and improvements from complaints to the Customer Panel, Board, and staff.
- 14.5 The Chief Executive is accountable for FHA's complaint handling. Through the weekly Management Meetings, they will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.
- 14.6 Officers will liaise with the Board Complaints Champion or Member Responsible for Complaints ('the MRC') in order to keep them apprised about the numbers of complaints received, the progress in resolving them, together with the outcome, in order that they can be assured any complaints received are being dealt with in accordance with FHA Complaints Policy. They have lead responsibility for complaints to support a positive complaint handling culture.
- 14.7 The MRC will be responsible for ensuring the Board receives regular information on complaints that provides insight on the landlord's complaint handling performance. The MRC has access to suitable information and staff to perform this role and report on their findings.
- 14.8 The MRC and the Board receive:
 - a) regular updates on the volume, categories, and outcomes of complaints, alongside complaint handling performance
 - b) regular reviews of issues and trends arising from complaint handling regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings
 - c) the annual complaints performance and service improvement report

- 14.9 FHA has a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:
- a) have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments
 - b) take collective responsibility for any shortfalls identified through complaints, rather than blaming others
 - c) act within the professional standards for engaging with complaints as set by any relevant professional body

15. Compliments

Family Housing Association needs to recognise when feedback includes compliments for services provided. A compliment is a positive comment made by a service user or customer about the service they have received, or the conduct of a member of staff or contractor, over and above a standard thank you. This may be in the form of a card, letter, telephone call, email, social media or in person.

All such compliments received will be passed to the relevant staff member or contractor and also included in reporting in the Review of Operations Report to Board and the Customer Panel.

Related Policy(s)	Compensation Policy: Repair Policy: Reasonable Adjustment Policy: Unacceptable Behaviour Policy
Related Procedure(s)	Complaints Management Procedure

Equality Analysis	An Equality Impact Assessment has been carried out to consider whether there is potential for direct or indirect discrimination to any of the protected characteristics. No issues were identified.
Privacy Analysis	This policy has been assessed to consider the potential to impact on the privacy of individuals. No issues were identified.