

Complaints Policy



Policy:	Complaints Policy
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1. Purpose and Approach

Tuntum Housing Association is committed to providing excellent services that meet the standards agreed with our customers. When we occasionally do not meet expectations we will acknowledge this, learn from it and identify how we can improve service provision. This policy sets out how Tuntum Housing Association will learn from, and manage, complaints.

Our purpose and intention is to deal fairly, honestly, consistently and appropriately with all complaints. The organisation will also identify areas where service failure or an inability to meet our published standards of service requires remedial action and, in certain circumstances, compensation.

Our approach is to deal with the majority of complaints on an informal 'right first time' basis, leading to a quick resolution that satisfies the customer.

For complaints that are either more serious (for example, concerning health and safety) or more complex then we will use the formal process.

Policy Statement

Tuntum Housing Association will make available its Complaints Policy to anyone on request. Further, the Association will advertise the policy to its customers by making it available on our website (www.tuntum.co.uk)

We welcome all customer feedback, positive and negative, and will deal with all feedback seriously.

In line with this policy, formal complaints will be acknowledged, directed to the appropriate area of service and a full response given within the agreed timescales set out below (see Service Standards.)

Less serious, more easily resolved complaints will be dealt with informally to achieve a speedy resolution.

Compliments will be welcomed and the appropriate staff will be made aware of the appreciation expressed. We will display compliments as appropriate on our tenant and public platforms.

We will learn from our service failures that have led to a justified complaint and implement improvements to our policies and procedures arising from this.

The following principles will be followed when dealing with complaints:

- They will all be dealt with promptly, courteously, systematically and fairly.
- Where appropriate, they will be treated confidentially. If information is to be discussed with staff or external bodies, the customer will be asked for their permission before any information is disclosed.
- There will be clear communication of the final outcome or of a formal complaint's progress if a longer timescale of investigation is required.
- They will be used to improve and develop procedures and services.

All complaints and compliments will be recorded and monitored, with the information being fed back into any appropriate policy and service reviews to ensure continuous service improvement.

3 Definitions

What is a complaint?

A complaint is when a customer expresses dissatisfaction with a service, action or lack of action by Tuntum Housing Association or one of its contractors.

We will **not** regard as complaints:

- Requests for service, information etc.
- Liability or personal injury claims
- Complaints from one neighbour about another: resolving neighbourhood disputes is part of the housing management service.
- Complaints linked to legal action already begun against Tuntum

- Matters already dealt with by the Housing Ombudsman service
- Complaints closed, unless (a) there is evidence of on-going issues e.g. mould and/or (b) an MP, Councilor or the Housing Ombudsman has asked us to re-open the complaint.
- Anonymous complaints, although we will investigate such complaints outside of this policy.

Who can make a complaint?

Any tenant, leaseholder, resident or applicant for housing can make a complaint.

If a complainant needs help in making a complaint, someone else can complain on their behalf (an advocate) but we will need to be sure that the advocate represents the complainant's views.

Complainants who have vulnerability may in particular need an advocate.

Complaints from third parties will be acknowledged and dealt with but are not within the remit of this policy.

4. Responsibilities

The Director of Resources and Risk has overall responsibility for this policy.

The Customer Excellence Leader has delegated operational responsibility for its implementation and effectiveness.

Payments for compensation and other non-financial remedies are the responsibility of the relevant Head of Service and are covered in the Compensation Policy.

5. Procedure

Making a complaint

We want to make it as easy as possible for people to complain. Complaints can be made in the following ways:

- By telephone: 0115 916 6066
- By email: admin@tuntum.co.uk
- By letter: Tuntum Housing Association, 90 Beech Avenue, Nottingham NG7 7LW
- In person to any member of staff
- By way of an advocate including your MP, ward councilor etc..

A complaints form is available on our website: www.tuntum.co.uk

Informal complaints

All complaints will be treated as informal complaints in the first instance with the exception of:

- complaints which allege 'hate crimes'
- complaints which concern serious health and safety issues

These will be automatically considered as formal complaints.

Complaints from vulnerable people may also require to be escalated to a formal investigation if they cannot be resolved informally because of communication problems.

On receiving a complaint we will always try to fix things straight away, aiming for a quick and effective resolution of the problem without a lengthy investigation. This is because our customers tell us they prefer this approach. For this reason a service standard is not relevant to informal complaints which are dealt with immediately.

Examples of such 'quick fixes' are:

- we miss an appointment but rearrange a suitable one immediately;
- we agree compensation to help remedy a service failure;
- an apology is given and accepted by the complainant.

Where we resolve an informal complaint the complainant will receive an e mail or letter to confirm that they experienced a problem, reported it to us and agreed a resolution.

If a complainant is not satisfied with an outcome at the informal stage they can move onto the formal complaints process by notifying us within five working days of the e mail/letter being sent.

Formal complaints

Stage 1: investigation

Where a complaint has escalated from the informal stage, an investigation will be undertaken by an officer from the service responsible for the alleged service failure.

At Stage 1, we will:

- Acknowledge the complaint by telephone or e-mail within three working days.
- Discuss the complaint with the complainant to ensure we understand the background details
- Give the complainant a unique reference number and let them know the name and contact details of the person who will be dealing with their complaint
- During the investigation we will contact the complainant to keep them informed of progress and ask any further questions if necessary.
- Write or e-mail them within 10 working days to let them know the outcome.

If further investigation is needed which will take longer than 10 working days, we will telephone you to agree when you will get a full response.

Stage 2: appeal and review

If the complainant is not satisfied with the outcome at Stage 1 then they should contact the staff member who had handled the complaint to appeal for a review, stating:

- The specific things they disagree with;
- What their desired outcome would be.

A senior manager, who was not previously involved with the complaint, will then review the complaint and will:

- Acknowledge that they are now dealing with it by getting in touch with the complainant within three working days with their name and contact details
- Offer the complainant the opportunity for a personal telephone conversation or meeting.
- Review the Stage 1 response, speaking with the investigating officer where appropriate
- Deciding whether the original outcome still stands, or whether to try to resolve the complaint it can be improved e.g. by offering compensation

They will then contact the complainant by e-mail or in writing within 10 working days to let them know the outcome of the review.

If the 10 day response target cannot be met, we will contact the complainant to explain the reasons why, and let them know when they can expect a full response.

If the complaint is still aggrieved after Stage 2 then the Head of Service will explain their further options which are:

1. Referral to the Independent Complaints Panel.
2. Eight weeks after receiving the Stage 2 response they may contact the independent Housing Ombudsman Service.

It should be noted that the Customer Excellence Leader can be used at Stage 2 to offer advice in managing a complaint, especially if it is complex or difficult.

Independent Complaints Panel (ICP)

The Localism Act 2011 brought in an additional step before a complaint may be sent to the Housing Ombudsman. This is scrutiny of the complaint by a '*designated person*' which could be a local MP, the local authority or an independent complaints panel made up of fellow tenants. Tuntum operates such a panel in partnership with other three other housing providers - Derwent Living, Chorus Housing and Longhurst Group.

If your complaint remains unresolved after Stage 2, then you are invited to submit the complaint to the ICP. This request should be made by e-mail or writing to the Customer

Excellence Leader. They will then process the complaint and advise you of the procedure to follow.

Only if a complaint remains unresolved after the ICP has met, or 8 weeks have passed since the end of Stage 2, can a complaint be forwarded to the Housing Ombudsman Service.

The Housing Ombudsman

The Housing Ombudsman is an independent and impartial service that resolves disputes between landlords and tenants. This service is free to use but **the Ombudsman will not accept any complaint unless you have been through the Association's Complaints Procedure above.**

*Housing Ombudsman Service
PO Box 152
Liverpool
L33 7WQ*

Telephone: 0300 111 3000

Website: housing-ombudsman.org.uk

Their website has an on-line complaints form or you can e mail them at info@housing-ombudsman.org.uk

The Customer Excellence Leader will make the relevant files and records available to the Housing Ombudsman's Investigating Officer on request and we will co-operate fully with the investigation.

6. Service Standards

Within the procedure the following service standards obtain:

- Formal complaints will be acknowledged within **3 working days**
- Formal complaints will be responded to within **10 working days**
- Requests from the complainant for the Stage 1 outcome to be reviewed will be acknowledged within **3 working days**
- The review findings will be communicated to the complaint within **10 working days.**

7. Unreasonable Behaviour

Unreasonable and over-persistent complainants have the potential to consume resources and cause stress for our staff whilst achieving no benefits for customers and service users.

We will consider the following as types of unreasonable behaviour:

- aggressive, threatening or abusive conduct;

- unreasonable demands (e.g. setting unrealistic timescales; insisting on seeing only a specific staff member);
- over-persistence in following a complaint (e.g. by constantly telephoning the office; sending irrelevant documentation etc.)

A complainant being assertive and determined is not considered to be exhibiting unreasonable behaviour.

In circumstances where a complaint demonstrates continuing unreasonable behaviour, we may:

- Restrict frequency of communication: for example, only take telephone calls from the customer at set times on set days.
- Restrict contact: for example, require the complainant to make an appointment to see a named member of staff before visiting the office, or that they only contact the office by e mail or in writing
- Restrict the amount of information received: for example, by returning the documents to the customer and advise them that further irrelevant documents will be destroyed. (Electronic copies may be taken and stored.)
- Take other action that we consider appropriate. We will, however, always say what action we are taking and why.

8. Monitoring and Review

All formal complaints will be analyzed, by the Customer Excellence Leader, in order to:

- Assess whether the service standards set out in this policy have been met
- Assess whether the complaints procedures have been followed correctly
- That the outcomes promised to the complainant were actually delivered (e.g. agreed repairs);
- Identify any lessons to be learnt and feed these into the relevant service review
- Decide on any necessary communication to staff and residents
- Identify any required amendments to procedures

To monitor our performance broadly we will:

- check our performance against the service standards in this policy;
- report regularly to the Board the key performance indicators (KPIs) on complaints;
- use the tenant's newsletter, our website and social media to inform tenants of our performance;
- carry out a tenant satisfaction survey at least every three years, which will include specific questions on satisfaction with complaint handling.

To monitor our performance in detail we will:

- monitor the number of complaints received;
- how many are resolved informally;
- how many formal complaints are resolved at stage 1;

- how many at stage 2;
- how many escalate to the ICP or Housing Ombudsman;

To complement this quantitative data with qualitative data, we will periodically contact a sample of people who have used the complaints process within the past 6 months to ask what their experience was.

A complaints register will be kept and will be updated at each stage of the procedure with information about the relevant issues, timescales and the person dealing with the complaint.

This policy will be reviewed 3 years or sooner should legislative requirement concerning housing complaints change or should monitoring of delivery of the policy reveal that a review is desirable.