



COMPLAINTS POLICY

COMPLAINTS POLICY

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1.0 Statement

Radcliffe Housing Society (RHS) aims to provide customers with the best possible service at all times. However, we accept that there may be times when you may not be happy and wish to complain. If a customer complains we promise to treat the complaint seriously and investigate it fairly.

2.0 Aims

RHS aims to use a systematic approach to complaints, the receiving, recording and responding to complaints made by their customers to ensure that complaints are responded to efficiently, effectively and are learnt from.

3.0 Objectives

3.1 RHS operates a complaints process with 2 stages, covering issues relating to:

- A failure to comply with policy, procedure or standards of service delivery;
- A decision which the complainant believes is not fair or clear to them;
- The behaviour of RHS staff or contractors.

3.2 RHS will:

- Work collaboratively with partners and other agencies where necessary to coordinate comprehensive outcomes to complaints;
- Facilitate the effective and early resolution of complaints;
- Analyse complaints to help improve services and service delivery;
- Manage all complaints in an open and accountable way.

4.0 What is a complaint

- *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.*

5.0 What is not a complaint

5.1 Complaints are issues with the services we provide.

5.2 A complaint should not cover:

- Services for which RHS is not responsible;
- Complaint(s) submitted six months or more after the issue occurred and is being brought to RHS's attention for the first time;
- Where the complainant is an employee of RHS;
- Reporting repairs, anti-social behaviour or bulk rubbish;
- Complaints that relate to insurance or damage claims that have been passed to our insurers;
- Complaints that relate to crimes that have been committed in communal parking areas or bike sheds. Vehicles are left at the owner's own risk;
- Complaints that relate to ASB case management that is currently ongoing. These will be dealt with in line with RHS's Anti-Social Behaviour Policy in the first instance.

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6.0 How to make a complaint

Complaints can be made by post by sending in a letter, telephone, e-mail or in person. You can also contact the local Citizens Advice Bureau. To find your local Citizens Advice Bureau call 020 7833 2181 or visit adviceguide.org.uk. Please let us know if you need help to make your complaint.

7.0 Complaints Process

7.1 Quick Fix: (dissatisfaction)

We will contact you within 48 hours to talk about your complaint so we can understand the problem. Wherever possible the person dealing with your complaint will try to resolve it within 48 hours. This may not mean that action is taken but that we have agreed with you what we will do.

7.2 Formal Stage 1

In order for the formal complaint process to begin, customers **MUST** have reported the original problem and had the matter dealt with as a matter of dissatisfaction. Should they remain dissatisfied with the outcome then the formal complaints process will begin.

7.2.1 When the matter has progressed to a stage 1, the complainant will be called or written to within 5 working days, acknowledging receipt, confirming that the matter is being investigated and who the case has been allocated to.

7.2.2 A full investigation of the complaint will be carried out and a full response letter sent within ten working days of the complaint being acknowledged. If we are unable to reach a decision within ten working days we will provide you with an explanation and an expected date of when the response will be received.

7.2.3 The investigation will be the responsibility of a nominated Manager who will take ownership of case management, ensuring that timescales are met and the complainant is kept informed of progress.

7.2.4 Following completion of the investigation into the original matters, the Case Manager will attempt to telephone the complainant and summarise the key points of the investigation.

7.2.5 The Case Manager will send the complainant a full response letter whether they have managed to contact the complainant or not. Any telephone contact and response letter must include the following elements.

7.2.6 The findings from the investigation i.e. what went wrong and why;

- An apology if appropriate;
- What remedial action has been or will be taken and by who – including wherever possible dates and times;
- Any learning points for Radcliffe and or its contractors arising from the complaint and;
- What steps the complainant can take if they remain dissatisfied.

7.2.7 If the complainant feels that their complaint has not been fully resolved they may request escalation to Stage 2 of the process. The complainant will be **required to provide information or evidence as to why they feel the complaint was not resolved fully**. Such information or evidence must be provided within ten

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working days from the date of the final complaint response. If the complainant does not contact Radcliffe within ten working days the complaint will be closed.

- 7.2.8 Upon receipt of such information or evidence the case will be referred to the Chief Executive who will then determine whether the complaint should be escalated to Stage 2.

7.3 Formal Stage 2

- 7.3.1 A complaint can be escalated within the process except for the following reasons:

- Where there is no new evidence presented and no reason given for wishing to progress further;
- Where the reasons for escalation are unrelated to the original subject matter of the complaint or;
- Where the request has been submitted outside of the escalation deadline set out within the stage 1 final response letter (In exceptional circumstances this may be reconsidered by the Chief Executive).

- 7.3.2 The complainant will be advised of the decision whether or not their complaint will be progressed to a case review within 5 working days of Radcliffe receiving the request to escalate the complaint.

7.4 Investigation Stage 2 - Complaints relating to disagreement with our policies and procedures.

- 7.4.1 We will check that the policy/procedure has been followed correctly and that the individual's support needs have been taken into account when applying the policy.

- 7.4.2 If our agreed policy/procedure has not been followed, we will investigate the complaint. We will respond to you within 20 days from when we received the request to escalate. Should we be unable to reach a decision we may extend this period for a further period of up to ten days.

- 7.4.3 Where the policy/procedure has been applied correctly and the customer disagrees, we may provide a final written response to the customer and not offer opportunity for the complaint to be reviewed or escalated. This decision will be made by the Chief Executive.

- 7.4.4 Where the complainant has no contractual relationship with Radcliffe, the complaint will stop at stage 1.

8.0 **Your responsibility**

- 8.1 At each stage you must tell us if you are still not happy and want your complaint to be taken to the next stage. You must do this within 10 working days of receiving our last response. **You must include any new information and tell us why you are still not happy.**

- 8.2 You can request that your complaint is considered by a designated person. Councillors and MPs are designated people. Their role is to assist in resolving complaints. Whilst you can refer your complaint to an MP or councillor at any stage of our complaints process, their role as a designated person would 'switch on' once our complaints process has been exhausted.

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- 8.3 For councillor contact details please call your local council and for MPs please contact the House of Commons Information office on 020 7219 4272 or visit parliament.uk.

9.0 Advocates

RHS recognises that some people who wish to complain may need support in doing so. RHS accepts complaints made by advocates on behalf of a complainant. RHS will take steps in line with its Data protection policy to make sure that the complainant is in agreement. A completed and signed advocacy form may be required to evidence a complainant's authorisation. Where for reasons of incapacity, it is not possible for the complainant to authorise an advocate in this way, we will request other evidence that the advocacy is legitimate, e.g. a Mental Capacity Act Assessment (MCAA)

10.0 Persistent or vexatious complaints

If a complainant has made unreasonable complaints in the past, RHS will not assume that their next complaint is unreasonable. Each case will be considered on its merits. All relevant correspondence will be evaluated to consider the circumstances, including:

- Whether a complainant has made persistent or unreasonable demands;
- Whether there is a strong likelihood that complaints are being made to intentionally cause harassment, divert resources or to disrupt the proper workings of RHS;
- Whether the complainant or their representative has been abusive or threatening to staff or has produced excessive correspondence;
- Whether the complainant displays vexatious behaviour.

11.0 External Complaints Resolution Bodies

The Housing Ombudsman Service holds a list of contact details for recognised tenant panels. The designated person can refer your complaint to the Housing Ombudsman, once your complaint has completed all 2 stages of our complaints process. If you are still not happy after completing our complaints process you can contact the Ombudsman directly from eight weeks after your complaint has completed all 2 stages of our complaint process. You must do this within 6 months of your complaint being closed at stage 2.

- 11.1 Their contact details are:
2nd Floor, 10 South Colonnades, Canary Wharf, London E14 4PU
Telephone: 0300 111 3000

To make a complaint online:

www.housing-ombudsman.org.uk/residents/make-a-complaint/

Web: www.housing-ombudsman.org.uk

12.0 Confidentiality

- 12.1 Under the Data Protection Act 1998 and the Human Rights Act 1998, all personal and sensitive organisational information, however received, is treated as confidential, including:

- Anything of a personal nature that is not a matter of public record about a tenant, customer, applicant, staff or board member;
- Sensitive organisational information.

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- 12.2 Officers will ensure that they only involve other agencies and share information with the consent of the resident concerned, unless:
- Radcliffe is required to by law;
 - The information is necessary for the safeguarding of children and vulnerable adults.