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| Complaints Policy | GEN008 |
| Policy reviewed by: | Helen Hughes, Finance & Admin Officer |
| Date reviewed: | July 2024 |
| Board approval: | September 2024 |
| Next Review due: | September 2027 |

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1. Introduction

- 1.1 Thame and District Housing Association (TDHA) has a formal procedure for investigating and responding to complaints made by residents. Complaints help us to learn and improve services.
- 1.2 A complaint is defined as "an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by TDHA, its own staff, or those acting on its behalf."

2. General Principles

- a) The complaints procedure may be used by any current or former resident, their relative, or any applicant for accommodation.
- b) No one will be treated less favourably or penalised in any way for making a complaint.
- c) The word "complaint" need not be used for a matter to be treated as such.
- d) Complaints will be dealt with as quickly and efficiently as possible. Time limits are in place for responding to complaints at each stage of the procedure which comply with the requirements of the Housing Ombudsman.
- e) All complaints will be investigated fully, carefully and fairly. Those involved will be informed in writing of the decisions taken at the end of each stage, reasons for those decisions, and what further action can be taken if the complainant is dissatisfied with the decision.
- f) Complainants will be given the opportunity to explain their point of view and the outcome they are seeking before a decision is reached.
- g) Where a desired outcome is unreasonable or unrealistic, TDHA will ensure complainants are made aware of this at an early stage.
- h) TDHA will give complainants the opportunity to have a representative deal with the complaint on their behalf, and to be represented and/or accompanied at any meeting with us where this has been requested or offered and where this is reasonable.
- i) Where a key issue of a complaint relates to the parties' legal obligations TDHA will clearly set out its understanding of the obligations of both parties and seek clarification before doing so where this is not initially clear.
- j) Investigations into complaints will be conducted impartially, seeking sufficient reliable information from both parties so that fair and appropriate findings and recommendations can be made.
- k) TDHA will assess the complaint, what is needed to fully consider the issues, what outcome would resolve the matter for the resident, any urgent action that needs to be taken and the risks the complaint raises for TDHA.
- l) The Chief Executive may exercise discretion in responding to a complaint and will provide clear explanations to residents when doing so.

3. Exclusions

- 3.1 There are certain circumstances in which a matter will not be considered -
- The issue giving rise to the complaint occurred over 12 months ago. However, where the problem is a recurring issue, we may consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident. This exclusion may not apply if the complaint concerns safeguarding or health and safety issues.
 - Legal proceedings have started. We will take steps to ensure that residents are not left without a response for lengthy periods of time, for example, where a letter before action has been received or issued but no court proceedings are started or settlement agreement reached.
 - Matters that have already been considered under the complaints policy.
 - TDHA has a separate Anti-social Behaviour Policy and complaints about anti-social behaviour should be reported to the office.
- 3.2 Where the Association does not accept a complaint, it will explain clearly to the "complainant" why this is.

4. Making a complaint

- 4.1 The procedure depends on the nature of the complaint. We want to make it straightforward for residents to complain if the need arises so will accept complaints in a number of ways and will provide information to our residents on how to raise a complaint. Complaints may be made by telephone, text, email, in writing, or verbally to a member of the staff team.
- 4.2 Maintenance complaints should be made to the Estates Manager. Other complaints should be made to the Scheme Managers or, if necessary to the Chief Executive.
- 4.3 The Chief Executive will be notified of all complaints as soon as possible after the complaint has been received.

5. Responding to a complaint

- 5.1 There is a two-stage procedure for complaints.

Stage one

- 5.2 Complaints will be logged and acknowledged within five working days. The acknowledgement will confirm TDHA's understanding of the complaint and the outcomes being sought by the resident. Clarification will be sought if the complaint is not clear.

Stage one decision

- 5.3 The stage one response will take up to 10 working days from receipt of the complaint; if this is not possible, an explanation and a date by when the stage one response will be provided. This should not exceed a further 10 working days without good reason.

Stage two

- 5.4 If the complainant is not satisfied with the response to their initial complaint, they should ask for the matter to be escalated to the Chief Executive, or if the complaint is about the Chief Executive, or their response to a complaint, they may request that their complaint be escalated to the Chairperson of the Board. Copies of the original complaint will be passed to the Chief Executive or Chairperson.
- 5.5 Complainants must, if they wish to escalate a complaint to stage two, notify the Association that they wish to do this within one calendar month of receiving the stage one decision.
- 5.6 Complaints can only be escalated to stage two if the exclusions are complied with.

Stage two response

- 5.7 The stage two response will take up to 20 working days from the request to escalate; if this is not possible an explanation and a date when the stage two response will be received will be provided. This should not exceed a further 10 working days without good reason.
- 5.8 It is possible that at stage two, the Chairperson or Chief Executive may wish to bring the matter before the Board. In such a case, the complainant will be notified of this and the timescales.
- 5.9 When we respond to a complaint, we will write to the complainant advising them of the following:
 - a) the complaint stage
 - b) the outcome of the complaint
 - c) reasons for any decisions made
 - d) the details of any remedy offered to put things right
 - e) outstanding actions
 - f) how to escalate the matter if dissatisfied.
- 5.10 Communication with the resident will not generally identify individual members of staff or contractors as their actions are undertaken on behalf of TDHA.
- 5.11 We will keep residents updated and informed even where there is no new information to provide.
- 5.12 When writing to deliver the final response to the complaint, TDHA will make it clear this was its final response to the complaint and provide information on referral to the Housing Ombudsman.
- 5.13 A service request is a request from a resident requiring action to be taken to put something right. Service requests are not complaints, but are recorded, monitored and reviewed regularly. A complaint is raised when the resident expresses dissatisfaction with the response to their service request.
- 5.14 TDHA have a dedicated Board member responsible for complaints who supports the staff team to ensure we learn from complaints and feedback.

6. Unresolved complaints

- 6.1 If the matter is still not resolved, the complainant should contact a designated person. This is either a Member of Parliament, a local Councillor or a resident panel.

Designated persons are there to resolve disputes between landlords and their residents.

- 6.2 If the designated person cannot help, they can refer a complaint to the Housing Ombudsman.
- 6.3 Complaints to the Ombudsman do not have to be referred by a designated person, but if they are not there must be at least eight weeks from the end of the landlord's complaint process before the Ombudsman can consider the case, and within six months of the end of TDHA's complaint procedure.
- 6.4 The Ombudsman prefers complaints to be registered using their online form, but paper forms can be requested by telephone or in writing.

Housing Ombudsman Service

PO Box 152

Liverpool L33 7WQ

Telephone: 0300 111 3000 (lines are open Mon to Fri from 9:15 to 17:15)

www.housing-ombudsman.org.uk

When requested, official Ombudsman forms and advice will be given by the Chief Executive.

The Ombudsman will not deal with complaints which have not gone through the proper process.

7. Putting things right

- 7.1 Where something has gone wrong, TDHA will take action to put things right where possible. Where possible, we inform the resident of the actions taken to prevent the issue from happening again.
- 7.2 Actions to put things right will only be recommended if they can be delivered and would not cause unfairness to other residents.
- 7.3 Possible outcomes are that TDHA may:
 - acknowledge where things have gone wrong and apologise
 - provide an explanation, assistance or reasons
 - reconsider or change a decision
 - amend a record
 - provide a financial remedy
 - change policies, procedures or practices

8. Equality, Diversity & Inclusion

- 8.1 We take fairness and inclusion into account upon every complaint in line with our Equality, Diversity & Inclusion Policy. We will work to understand the specific impact and the scale of the impact when we consider complaints.