



homes, communities, cultures

# Complaints Policy & Procedure

Version #:	Date:	Summary of Changes
Version 6	November 2008	6.3 and 6.4 alterations of the Panel Guidance section (not the actual Policy)
Version 5	August 2007	Recommendation of the Housing Ombudsman added; Clauses 1.13 and 5.11 added
Version 4	May 2007	Clarification of 2.1 and 7.3.1
Version 3	February 2007	New item 6.4
Version 2	October 2006	Merging of two Pols & Procs
Version 1	February 2006	

A charitable housing association



# Complaints Policy and Procedure



## 1 Policy

- 1.1 Connect Housing Association is committed to providing high quality services to customers. However, there may be occasions when customers are dissatisfied with the level or type of service they have received and wish to make a complaint.
- 1.2 We will actively encourage complaints, comments and compliments. We will use them as an opportunity to learn about our strengths and about areas requiring improvement (which may be policy, procedure, behaviour or outcomes), to inform and improve the services we deliver.
- 1.3 A complaint can be received from anyone who feels they are dissatisfied with the service they have received from the Association. Only tenants, leaseholders and housing applicants of Connect can refer their complaint to The Independent Housing Ombudsman Service after concluding Stage 3 of the procedure.
- 1.4 We will treat all complaints confidentially and in line with our Equal Opportunities Policy and will deal with all complainants in a polite and helpful manner.
- 1.5 We will give customers clear information on how they can make a complaint and may suggest contacting someone independent to assist them in making their complaint. Where required we will provide translation and interpretation services to enable tenants to access this procedure. We will inform customers of other steps that they can take if they remain dissatisfied.
- 1.6 Connect will operate a clear and open Complaints Policy. Complaints will be managed within set timescales, ensuring complaints are fully investigated and the person making the complaint receives a reply within a specified period of time.

- 1.7 There will be three stages to the complaints procedure:
  - 1.7.1 Stage 1 – to be investigated by the service manager, with a written response sent to the complainant within 10 working days
  - 1.7.2 Stage 2 – to be investigated by the relevant director, with a written response sent to the complainant within 10 working days
  - 1.7.3 Stage 3 – a complaints appeal panel- to be convened within 5 weeks of the request being received, with a written response sent to the complainant within 10 working days of the panel hearing.
- 1.8 Requests to move a complaint to the next stage of the procedure should be received within 21 calendar days from the date of the previous response or they will not normally be considered.
- 1.9 If the complainant remains dissatisfied with the outcome of the Complaint Appeal Panel hearing, and is a tenant, leaseholder or housing applicant of Connect, they will be advised they can refer their complaint to the Independent Housing Ombudsman.
- 1.10 Anonymous complaints will generally not be dealt with. However, depending on the nature of the complaint it may be necessary to investigate the matter in order to protect the Association's interests.
- 1.11 Where we recognise that we have failed in delivering our services and a complaint is upheld we will offer appropriate redress ranging from an apology to, in some cases, the payment of appropriate financial compensation.
- 1.12 Connect reserves the right to refuse to deal with complaints that are pursued unreasonably.
- 1.13 Connect reserves the right to deal with a complaint differently (outside the normal procedures) if circumstances require this. In such a rare case, the Association will record why it has dealt with the complaint differently and will inform the complainant accordingly.

- 1.14 We will monitor, report and publish data on complaints and give customers the opportunity to comment upon the operation of the policy and procedures.
- 1.15 Complaints where legal action has commenced will not be progressed through the Complaints Policy. For the purpose of this policy legal action is defined as such only when a court date has been applied for by either party.
- 1.16 MP and Councillor enquiries should not be treated immediately as complaints unless the enquiry relates to a reported complaint.

## 2 Definition

- 2.1 Connect Housing considers a complaint to be an expression of dissatisfaction about our service delivery to the complainant where an initial response to the problem has not proven satisfactory. The fact that we may or may not uphold the complaint as justified is irrelevant.
- 2.2 A complaint can be received from anyone who feels they are dissatisfied with the service that they have received from the association.
- 2.3 An expression of dissatisfaction may be about action or lack of action or about the standard of a service. It may be when we, or someone working on our behalf has:
  - 2.3.1 done something wrong e.g. given the wrong information, staff have been rude or unhelpful
  - 2.3.2 done something that should not have been done
  - 2.3.3 failed to do something that should have been done
  - 2.3.4 treated someone unfairly e.g. discriminated against particular groups of people
  - 2.3.5 failed to deliver what is promised e.g. not delivered a service within the agreed time

- 2.4 Staff will try to resolve any issue causing a customer dissatisfaction at the point of enquiry. Where customers remain dissatisfied, we will recognise our customers have a right to decide that the matter is treated as a complaint.
- 2.5 A distinction is made between requests for a service (e.g. reporting a repair or an incident of anti-social behaviour) and dissatisfaction with the standard of a service (e.g. complaining that a repair has not been carried out even though it has been reported or complaining that the Association has failed to deal adequately with anti-social behaviour reports). A request for a service is not a complaint.
- 2.6 All incidents of nuisance, anti-social behaviour, harassment and racial harassment will be recorded separately in accordance with the relevant policy and procedure.
- 2.7 If there is any doubt about whether a matter should be recorded as a complaint the relevant director will make the final decision.

### **3 Service Standards**

- 3.1 The service standards detailed below describe the levels of service customers should expect to receive in operation of the Complaints Policy.

- We will:
- Encourage complaints, compliments and comments, to learn about what we are doing well and where we can improve. We will do this by:
    - publicising contact points for customers who need advice on how to make a complaint.
    - Publicising the policy and procedures in the tenant, leaseholders and supported housing handbooks.
    - Making available complaints leaflets and forms (including Ombudsman's leaflets) at our offices.
  - Try to resolve any issue causing dissatisfaction as soon as it is brought to our attention. If customers remain dissatisfied we will treat the problem as a complaint.

- Accept complaints made by telephone, minicom or in person (in which case it will be written down), in writing, by e-mail, fax, via our website and in any language.
- Acknowledge complaints within 2 working days
- Where possible provide a full response to complaints, at stages 1 and 2 of the complaints procedure, within 10 working days of receiving the complaint.
  - Where this not possible, e.g. because further investigation is required or because of key staff absences, we will write and notify customers of this indicating when a full response can be expected.
  - The Association will not consider requests to move the complaint to the next stage in the procedure that are received more than 21 calendar days after the response to the previous stage.
- notify customers of the date of complaints appeals panels within 10 working days of the receipt of the request.
  - The panel date should be within 5 weeks of the receipt of the request. The panel will give customers a full response within 10 days of the hearing.
- Give the name of the person dealing with each stage in the complaint
- Provide assistance to make a complaint if necessary.
- Offer interpreting services if required
- Investigate complaints fully and fairly
- Offer advice on other independent agencies who may be able to help

- Report and publish information about complaints we have received
- Make available copies of the Association's Complaints Policy on request

# Procedure

## 4 Purpose of Procedures

- 4.1 These procedures outline how staff should administrate the Connect Housing Association Complaints Policy.
- 4.2 For a definition of what constitutes a complaint, refer to Section 1.2 of the Complaints Policy.
- 4.3 Service Standards relevant to the Complaints Policy are detailed in Section 2.1 of the Complaints Policy.

## 5 How to take a complaint

### 5.1 1st point

- 5.1.1 All staff are responsible for receiving complaints from customers.
- 5.1.2 Managers will be responsible for ensuring that all staff reporting to them are aware of the policy and procedure and are appropriately trained in complaint handling.
- 5.1.3 Repairs Complaints- Huddersfield. If a tenant contacts Trinity wishing to make a complaint, Trinity staff will take the details of the complaint and forward them to the Huddersfield office to be logged on the complaints database. The Corporate Services team will forward the details of the complaint to the Operations and Assets Manager for the stage 1 response.

### 5.2 How to handle complaints received in person

- 5.2.1 Be courteous and helpful. Encourage the customer to make the complaint, and listen to the points being made. It is important not to interrupt the complainant or to be defensive. Say sorry if it seems appropriate to do so.

- 5.2.2 Handle it confidentially. If seeing the customer in the office, use a private interview room
- 5.2.3 Establish if interpreting services are required either via LanguageLine, in-house or accessing interpreters (which will probably require a later appointment).
- 5.2.4 Find out the facts and try to resolve the matter immediately. Most importantly, establish what the customer wants us to do. If you need to speak to a colleague to resolve the matter, ask the customer if they are willing for you to ring them back within the day. If they are – make sure you do it. If they are not, proceed to the next step.
- 5.2.5 Ask the customer if they are satisfied with your response or if they wish to register a formal complaint.
- 5.2.6 If they choose to register a complaint, briefly explain the complaints procedure. If they are in the office, give them a complaints leaflet which includes a form to complete. Offer assistance to complete it.
- 5.2.7 If the complaint is made by telephone, complete the complaints form over the phone.

### 5.3 **What to do with complaints received**

- 5.3.1 All letters of complaint and completed complaint forms must be passed to the Corporate Services team as soon as they are received to log and acknowledge.

## **6 Administering Complaints**

- 6.1 Corporate Services will check for complaints from the website and corporate email on a daily basis and for letters of complaint when opening the post.
- 6.2 In addition, Managers will identify any letters of complaint when distributing the post or those received by hand and pass them to Corporate Services.
- 6.3 Corporate Services will ensure all complaints are logged on the database and maintained in a central complaints file. All complaints will be given a reference number. The same reference number will be allocated to a complaint whatever stage it is at.
- 6.4 Corporate Services will acknowledge complaints in writing within 2 working days. A copy of the complaint, acknowledgement letter and summary proforma will be passed to the manager answering the complaint. The originals will be kept in the complaints file.
- 6.5 Corporate Services will prompt each Manager or Director investigating a complaint with a reminder on the 6th working day of the 10 working day response deadline. It is the responsibility of Corporate Services to ensure the relevant Manager or Director receives the reminder.
- 6.6 It is the responsibility of the Manager to send the full response within the deadline, complete the proforma and return it to Corporate Services to update the database.
- 6.7 If further investigation is required to address a complaint or because of key staff absences the 10 working day target cannot be met, the Manager or Director investigating the complaint is responsible for advising the complainant, within the 10 day timescale, of a revised timescale explaining the reasons for the delay.
- 6.8 If the complaint relates to a Manager of the Association who would normally be expected to respond to the complaint, their Line Manager will investigate and respond to the complaint.

- 6.9 If the complaint at Stage 1 is about a Director of the Association, another Director will investigate and respond to the complaint.
- 6.10 Corporate Services is responsible for sending out a Complaint Feedback Form after a complaint has been resolved.
- 6.11 All forms and any letters/correspondence, records of conversations etc should be kept on the complaints file with a copy on the house file.

## **7 Complaint Stages and Timescales**

There are 3 stages to the Association's Complaints Procedure.

### **7.1 Stage 1**

- 7.1.1 Stage 1 complaints will normally be investigated by the relevant service Manager.
- 7.1.2 If the complainant is not satisfied with the outcome of Stage 1 they must be advised that they may refer their complaint to Stage 2 of the complaints procedure. The complainant should be advised that requests to move a complaint to Stage 2 of the policy should be received within 21 calendar days from the date of the stage 1 response or it may not be considered.

### **7.2 Stage 2**

- 7.2.1 All correspondence and information for a Stage 2 complaint will be passed to the relevant Director for investigation and response.
- 7.2.2 Where the complainant remains dissatisfied with the outcome of Stage 2 of the Complaints Policy the complainant will be advised they may refer their complaint to Stage 3 of the procedure. The complainant should be advised that requests to move a complaint to Stage 3 should be received within 21 calendar days from the date of the Stage 2 response or it may not be considered.

- 7.2.3 Where a Director has investigated a complaint about a Manager at Stage 1 another Director of the Association will review and respond to the complaint should it proceed to Stage 2.
- 7.2.4 Where a Stage 1 complaint about a Director of the Association has proceeded to Stage 2 another Director, not involved at Stage 1, will review and respond to the complaint.

### 7.3 **Stage 3**

- 7.3.1 Stage 3 is the final stage of the Complaints procedure, involving a Complaints Appeal Panel to consider the complaint. The Corporate Services team is responsible for acknowledging any request for a panel within 2 working days. A copy of the Complaints Appeal Panel Guidance notes will be included with the acknowledgement letter. For detailed guidance notes on the Complaint Appeal Panel refer to the Complaint Appeal Guidance and Procedure.
- 7.3.2 The panel will normally comprise of the Association's Chief Executive, two Board members and, if the complainant wishes, a representative of Connect Residents' Federation.
- 7.3.3 The Corporate Services team will coordinate and arrange the panel, informing all parties of the date and time of the hearing within 10 working days of the request. The panel should be within 5 weeks of the request. The complainant will be invited to attend the hearing, be advised that they may bring someone with them, that they can request the support of a member of the CRF and asked if they wish a member of the CRF to be on the panel.
- 7.3.4 The relevant Manager and Director will be requested to compile a complaints pack for the panel (summarising the complaint with supporting evidence) which should be sent to all parties no less than 5 working days before the panel date.
- 7.3.5 The panel will aim to provide the complainant with their written decision within 10 working days of the panel hearing.

## 8 The Independent Housing Ombudsman

- 8.1 Tenants, leaseholders and housing applicants of Connect, who have fully completed all stages of the Association's Complaints Policy and remain dissatisfied, can complain to The Independent Housing Ombudsman.

The Ombudsman will not consider a complaint until the complainant has fully completed all stages of the Association's internal Complaints Policy.

- 8.2 The Independent Housing Ombudsman provides a free service to tenants. The service is entirely independent.

- 8.3 The Independent Housing Ombudsman's contact details are:

The Independent Housing Ombudsman  
81 Alwych  
London WC2B 4HN

Telephone (Lo-Call): 0845 7125 973

Telephone: 020 7421 3800

Fax: 020 7831 1942

Minicom: 020 7404 7092

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

Website: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

- 8.4 Tenants, Leaseholders and Housing Applicants and Connect staff can contact The Ombudsman Service for advice about a complaint.
- 8.5 Staff may contact the independent housing ombudsman to discuss complaints or potential complaints. The independent housing ombudsman will be able to give advice on how to proceed on a without prejudice basis.
- 8.6 The Director of Service Development will be responsible for dealing with any complaints that have been referred to the Independent Housing Ombudsman.

## 9 Investigation of Complaints

- 9.1 It is the Association's aim to investigate complaints fully and fairly. A thorough, open and impartial investigation of the complaint must be conducted to ascertain the facts.
- 9.2 Any extension required to conduct further investigation towards a full response must be put in writing to the complainant. This must be within the timescale of 10 working days and should explain the reasons for the extension.
- 9.3 In certain situations it may be necessary or beneficial, towards resolving the complaint, to contact the complainant. This may be to discuss the matter in more detail or to confirm certain facts. However, staff must ensure each stage of the Complaints Procedure is followed correctly and each timescale is met.
- 9.4 All written responses should aim to:
- 9.4.1 answer all points of concern that have been raised
  - 9.4.2 provide a full explanation as to why a particular decision has been made
  - 9.4.3 be factually correct
  - 9.4.4 avoid jargon and use plain English
  - 9.4.5 provide a name and contact number
  - 9.4.6 advise of the next stage of the procedure should the complainant remain dissatisfied
  - 9.4.7 include an apology if the complaint is justified and give an assurance that action has been taken to prevent the mistake happening again
  - 9.4.8 acknowledge that the complainant is dissatisfied with the level of service whether justified or not
  - 9.4.9 where appropriate offer some form of redress – what we are offering to the tenant to draw the matter to a satisfactory close

- 9.5 It is important to keep a record of all investigations and correspondence and any advice that is received. Copies should be made with originals passed to Corporate Services for filing in the complaints file and on the house file.
- 9.6 In certain cases it may be appropriate to seek independent advice or use mediation services. It may be appropriate to do this at this stage to prevent the complaint escalating to the next stage.

## **10 Data Protection and Confidentiality**

- 10.1 All staff should abide by the Association's Confidentiality Policy.
- 10.2 All third party requests for personal data about a data subject (e.g. a tenant of housing applicant) should be made in writing. Examples of third party requests are those from MPs, Councillors and Solicitors.
- 10.3 Requests should be accompanied by confirmation from the complainant that they consent to the Association disclosing data to a third party. (Consent forms are available on the intranet).

## **11 MP and Councillor Enquires**

- 11.1 MP and Councillor enquires should be acknowledged within 2 working days. A full response will be sent within 10 working days of receiving a signed consent form.
- 11.2 Staff with responsibility for responding to MP and Councillor enquiries should send a consent form authorising personal data to be disclosed on receiving a request for information about a complainant.

## **12 Insurance Claims and Legal Action**

- 12.1 In some cases it may be appropriate to refer the matter to the finance officer for referral to the association's Insurers. In this case a simple holding letter should be sent.
- 12.2 The Finance Officer (Assets) will administrate responses to and records of insurance claims. All correspondence relating to legal action or potential legal action against the Association will be passed to the Finance Officer (Assets). The Finance Officer (Assets) will forward correspondence requiring a response from a Manager or Director to the insurers.
- 12.3 The Finance Officer (Assets) should ensure that any necessary consents relating to personal data are received.

- 12.4 The Finance Officer (Assets) will acknowledge correspondence from Solicitors within 10 working days of receipt.
- 12.5 The Finance Officer (Assets) will inform the Association's Insurance Brokers in writing of any claim made against the Association within 10 working days of receiving a claim. They will also inform the relevant departmental Manager or Director.
- 12.6 The Finance Officer (Assets) will report on insurance claims and legal actions on a monthly basis to the Director of Finance and Corporate Services.

## **13 Monitoring and Reporting**

### **13.1 Customer Feedback**

13.1.1 We will survey all complainants to ascertain whether we are dealing with complaints quickly, effectively, and to the satisfaction of the person making the complaint.

13.1.2 The Corporate Services team will send a Complaints Satisfaction Feedback Form to all complainants within 28 working days of the conclusion of any stage of the complaints procedure.

## 13.2 Monitoring

13.2.1 The Service Improvement team will produce reports for the management team and Board on complaints. The report will summarise the following points and with the following frequency:

	Management Team	Board	Board
Frequency	Monthly	Quarterly	Annually
Summary points to include			
The number of complaints, received, broken down by stage	✓	✓	✓
The ethnic origin of the complainant			✓
The nature of the complaint			✓
The relevant department			✓
The number responded to within the target timescale with reasons, the number of ongoing cases	✓	✓	✓
The number of justified and unjustified complaints	✓		✓
Any cases referred to the Independent Housing Ombudsman	As required	As required	✓
The number of complainants with language, visual or hearing needs			✓
Satisfaction levels with the procedure (based on an analysis of feedback forms)			✓

13.2.2 The Service Improvement team will also review complaints received and responses quarterly to identify service improvements, monitor that agreed actions have been taken and feed this in to the service improvement process (amendment of procedures etc).

13.2.3 Directors and Managers will use monitoring information to:

- identify areas of service delivery that require review/improvement
- identify any action required within their team/department to avoid similar complaints being made
- identify staff training needs
- provide information through briefings to staff on good and poor performance areas

13.2.4 The Service Improvement Manager will ensure that information on complaints and satisfaction levels is published in the tenants' newsletter. We will also publicise details of any changes we have made in response to customer suggestions to show that we are positively using complaints to improve service delivery.

13.2.5 In order to maintain confidentiality all reports in relation to this procedure that are presented to committees or the board will have tenancy details removed.







# Complaint Appeal Guidance and Procedure

## 1 The Purpose of the Hearing

- 1.1 The purpose of the hearing is to verify that Connect policies and procedures have been complied with, to identify any circumstances that have not been taken into account which have a bearing on the original decision made, and whether it was reasonable to apply current policies and procedures in the circumstances.
- 1.2 It is an opportunity to verify factual information taken into account in deciding earlier action, and to decide whether to offer redress for any unfair treatment received.

## 2 Rights of the Appellant

- 2.1 The appellant has the right to attend the panel hearing and the right to be accompanied/represented. It will not normally be deemed appropriate for the appellant to be accompanied by a Solicitor or other legal representative. If an appellant should have a Solicitor or legal representative accompanying them the Chair of the panel will clarify that they may speak on behalf of the appellant, but may not cross-examine staff or panel members.
- 2.2 The appellant has the right to be accompanied by an interpreter/signer, or to ask that one be provided for them.
- 2.3 The appellant has the right to information about the appeals procedure, copies of documents referred to during the hearing (unless deemed to be confidential), and to be provided with guidance on the process.
- 2.4 The responsible Manager or Director will write a summary of the complaint for the panel that will be given to the panel and appellant at least 5 working days in advance of the hearing.

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- 2.5 If an appellant does not wish to present their case in person the hearing will go ahead and the Chair of the panel will provide a written response within 10 working days.

### **3 The Panel**

- 3.1 The panel will normally be the Chief Executive and two board members. A member of the Association's Residents Federation will also be present wherever possible if the Appellant agrees to this.
- 3.2 Panel members will be briefed in the conduct and administration of appeals, and related policy/procedural information to assist them in their role.
- 3.3 The panel will elect a Chair for the hearing.

### **4 Conduct**

- 4.1 To prevent the process being an intimidating one the conduct of the hearing should be as informal as possible whilst enabling the principles of natural justice and openness.
- 4.2 All matters discussed, and documents referred to, are to be regarded as confidential to the hearing. Panel members must maintain confidentiality outside the hearing and not discuss the progress of the case with anyone not involved. Only matters relevant to the case must be discussed in the hearing.
- 4.3 All personal information must be regarded as confidential. The only person with the right of access is the person the information is about. Individuals must give their informed consent before any information is shared or disclosed.
- 4.4 The panel must exercise care in dealing with information where breaches of third party confidentiality might arise e.g. neighbour nuisance. Third party documents must not be made available to the appellant.

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4.5 Any breaches of confidentiality by panel members will be brought to the attention of the Chair of the Board of Management. Any breaches of confidentiality by staff will be dealt with in accordance with Connect's disciplinary rules.

## **5 Order Of Business**

5.1 The panel may wish in advance of the hearing to agree the order of business.

5.2 The following will be the order of business that will normally be adopted:

5.3 The Chair will introduce all those present, explain the purpose of the hearing, and the order of business. It is important to provide assurances and confirmation about confidentiality, conduct during the hearing, the independence and objectivity of the panel, time allowed, the appellant's rights, and check receipt of all relevant documents.

5.4 The appellant will be asked to confirm the grounds for their appeal and present their case, including what they think the panel should do to make amends or provide redress.

5.5 The panel may question the appellant to clarify or question the information provided.

5.6 The panel may ask the appellant to sum up their case. The panel should check that the appellant is satisfied that they have been given a fair hearing.

5.7 Once this stage is complete, the appellant will then normally leave the hearing.

5.8 The relevant Manager or Director and any other staff relevant to the case will then be called by the Panel, separately or together, and asked questions about the case including a response to the issues raised by the appellant.

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- 5.9 The panel can question the staff to clarify or question the information provided.
  - 5.10 Once this stage is complete, staff will then normally leave the hearing.
  - 5.11 In exceptional circumstances, the Panel may decide that there is a benefit for the complainant to be present when staff outline the Association's position or for staff to be present when the complainant outlines their complaint. This option will be at the discretion of the Panel and it is expected that it will be used rarely.
  - 5.12 The panel will then arrive at a decision in private, although the minute taker may be present.
  - 5.13 The minute taker will record the decision of the panel and the reasons for arriving at it. The Chair of the Panel will countersign the record.
  - 5.14 The decision will normally be conveyed to the appellant in writing within 10 working days of the decision being made. The Chair of the Panel will approve the letter sent to the appellant.

## **6 Suspended/Cancelled/Adjourned Hearings**

- 6.1 Short adjournments may take place during the hearing to hear confidential information or discuss issues of a confidential nature.
- 6.2 Hearings may be adjourned to a later date if the volume of information is too much to be considered in one hearing, or if further information is required before a decision can be made. The overall timescale for concluding a complaint should be contained within two months from the initial request for a hearing.
- 6.3 An appellant may request that the date for a hearing is rearranged to a more suitable or convenient time. However, if the appellant requests a rearrangement of the hearing on more than two occasions, the association reserves the right to proceed with the hearing in the absence of the appellant. This term arises from a recognition of the complexity of the arrangements required to enable the attendance of all panel members

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and the appellant in addition to a desire not to unnecessarily delay and lengthen the appeal procedure.

- 6.4 If an appellant fails to attend a hearing to present their case in person without notifying the association or requesting a re-arranged date, the convened panel may agree to proceed with the hearing in the complainant's absence. The association will then write to the appellant to request an explanation for the absence and will give 10 working days for a response. The Chief Executive will consider any response and decide if it is appropriate to arrange a further hearing date or whether the appellant has surrendered the right to present their case personally.
- 6.5 The panel can suspend an appeal hearing (by timed adjournment or deferment to another date) if the behaviour of the appellant is disrupting the proceedings. The appellant will be written to and asked to provide written assurance of reasonable behaviour before another hearing is convened. In the absence of an acceptable response or if the behaviour is repeated the panel can decide that the appellant has forfeited their right to an appeal hearing, or hear the appeal in their absence.

## **7 Decisions and Recommendations**

- 7.1 The panel should satisfy themselves that they have all of the necessary facts and information required to enable them to make a decision. The panel will then decide whether the case has been dealt with in accordance with Connect's policy and procedure, or questions the reasonableness of applying current policies or procedures in the circumstances.
- 7.2 The panel may decide:
- That Connect Housing has acted reasonably and that no further action is required
  - That Connect Housing has acted unfairly, and make a decision on how the matter should be put right, and in certain circumstances award the tenant compensation
  - To make a recommendation for a review or amendment of existing policy or procedure

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## 8 Possible Forms of Redress

- Offer an apology
- Provide a service e.g. carry out a repair
- Provide information e.g. rent statement
- Withdraw legal action e.g. NSP
- Review procedures
- Review policy
- Provide training for staff
- Make a compensation payment (making reference to the Association's Compensation Policy prior to making any decision on compensation)

8.1 If an appeal is upheld the decision of the panel should aim to put the tenant back in the position they would have been in had the subject of the complaint not arisen. A compensation payment may contribute to the achievement of this aim.

8.2 The current procedural or statutory criteria should be used where possible to decide on the amount of compensation.

8.3 The appeal panel should refer any recommendation for compensation in excess of £1000 for approval by the Board, before conveying the amount agreed to the appellant.

8.4 The decision of the panel is binding on the Association. The decision of the panel and the reasons for arriving at it will be conveyed to the appellant in writing together with full minutes of the hearing, excluding any confidential records. The appellant will be advised of their right to refer their complaint to the Independent Housing Ombudsman Service.

8.5 If the appellant wishes to meet with the Chief Executive to discuss the outcome of the hearing this will be arranged within 10 working days of the hearing having taken place.

8.6 The Chief Executive will present the outcomes of all Complaint Appeal Panel Hearings with individual tenancy information removed to the next board meeting.