



Complaints Policy

Version #:	Date:	Summary of Changes
Version 12	September 2022	Review and update following revisions to HoS Complaint Handling Code
Version 11.1	Jan 2021	Review only against HoS Complaint Handling Code
Version 11	February 2019	Reduction from three stage to two stage with introduction of EOD's
Version 10	December 2013	Split from Procedure and Panel Guidance; other small changes.
Version 9	October 2013	Change to Proc
Version 8	March 2013	Changes required due to new legislation regarding Housing Ombudsman (Clause 1.9)
Version 7	October 2011	Change to Proc
Version 6	March 2011	Review of p&p and panel guidance following training from HOS, internal review with tenants and staff and reference to good practice
Version 5	August 2007	Recommendation of the Housing Ombudsman added; Clause 1.13 added
Version 4	May 2007	Clarification of 2.1
Version 3	February 2007	Change to Proc
Version 2	October 2006	Merging of two Pols & Procs
Version 1	February 2006	

1 Introduction

- 1.1 Connect Housing is committed to the provision of good quality services to our customers. However, there may be times when customers are dissatisfied with the level or type of service that they have received.
- 1.2 We actively encourage customer feedback and use it to inform and improve the services we deliver so the complaints policy and process; the Complaint Handling Code; and information about the Housing Ombudsman Scheme will be easy to find on our website.
- 1.3 Our teams will always try to resolve any issue causing customer dissatisfaction immediately at the point of enquiry, including through escalation to a service manager where appropriate. These efforts to resolve a customer's concerns will not obstruct access to the complaints procedure or result in any unreasonable delay. If a customer remains dissatisfied the option of making a complaint will be explained.
- 1.4 The Housing Ombudsman's Complaint Handling Code defines a complaint as '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.'
- 1.5 A complaint can be received from anyone who is dissatisfied with the service that they have received from the association. This means that all complainants are not necessarily tenants of the association. Complaints may also be made on behalf of a customer via a third party, including politicians.

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- 2.1 Complaints can be made in person, by phone, e-mail, Connect's website or social media. We treat all complaints confidentially according to our Confidentiality Policy and Procedure and the requirements of Data Protection legislation. When a complaint is received via social media, we will take it offline to protect confidentiality.

- 2.2 In line with the Equality Act 2010, we will make reasonable adjustments to the application of this policy to meet individual needs including, interpretation services where necessary.
- 2.3 The Service Manager – Customer Insights will act as Complaints Officer for the Association. This person will ensure that complaints are managed in accordance with this policy including keeping complainants informed about the progress of their complaint.
- 2.4 A request for a service is not a complaint. A distinction must be made between a request for a service (e.g. reporting a repair or an incident of anti-social behaviour) and dissatisfaction with the service received (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).
- 2.5 A report of anti-social behaviour is not a complaint about the association. All incidents of nuisance, anti-social behaviour, harassment and racial harassment are recorded and managed separately in accordance with the anti-social behaviour policy and procedure.
- 2.6 If there is any doubt about whether a matter should be treated as a complaint, the relevant director makes the final decision.
- 2.7 Complaints from groups of tenants will be accepted. The response will be sent to all members of the group who are named in the complaint.

Where something has gone wrong we will acknowledge this and offer appropriate redress. Such redress may range from an apology or provision of a service to a compensation payment. Any remedy offered must reflect:

- the extent of any service failures and the level of detriment caused as a result, taking into account whether the remedy would cause unfairness to other residents.

- any statutory payments due
- if any quantifiable losses have been incurred
- the time, distress and inconvenience caused.

3 Complaints process

3 If we cannot resolve the matter to the customer's satisfaction when first brought to our attention, and a customer wants to make a complaint, there are two stages to the complaints process. Again we aim to resolve the complaint at the earliest stage possible.

3.1 **Stage 1** – Ideally, we request the complaint is made in writing confirming the nature of the complaint, what the customer feels Connect has done wrong and what they would like us to do to put things right. Clarity at this stage aids the resolution of the problem as quickly as possible. However this is not mandatory and if the complaint is not submitted in writing, a member of staff will record the complaint (using the Complaint Form).

3.2 The complaint will be acknowledged within 5 working days of receipt. Within the complaint acknowledgement, we will set out our understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the customer must be asked for clarification and the definition agreed between both parties.

3.3 The complaint investigation and response is completed by a Senior Manager. We will attempt to resolve a complaint within 10 working days. Where this is not possible we may extend the response time for up to a further 10 working days with the agreement of the customer. In exceptional circumstances, more than 20 days may be required but there must be a good reason for such timeframes. Where agreement with the customer over an extension period cannot be reached, we will provide the Housing Ombudsman's contact details but continue to investigate the complaint.

- 3.4 In drafting a written response we aim to address all points raised in the complaint. Responses will explain:
- the complaint stage
 - 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 two if the customer is not satisfied with the answer
- 3.5 It is important that we are clear from the outset where a desired outcome is unreasonable or unrealistic.
- 3.6 A complaint response will be sent when the decision has been made not when the outstanding actions required to address the issue, are completed. Outstanding actions will be tracked and actioned with updates provided to the customer.
- 3.7 If a complaint response has not yet been issued and the complainant raises additional issues, these should be addressed in the response if relevant. Where it would unreasonably delay the response, the complaint should be logged as a new complaint.
- 3.8 **Stage 2** - If the complainant thinks that the response at Stage 1 has not fully addressed their complaint, they may request that their complaint is moved on to the next stage within 21 days of receipt of the stage 1 response. Complainants are asked to clarify which aspects of the complaint have not yet been resolved. Requests to move a complaint to the next stage must be received within 3 weeks of the date of the previous stage's response letter.
- 3.9 Stage 2 complaints are reviewed by a Director who will review the original complaint and the provided responses. We will attempt to resolve a complaint within 20 working days. In exceptional circumstances, where this is not possible we may extend the response time for up to a further 10 working days with the agreement of the customer. Where agreement with the customer over an extension period cannot be reached, we will provide the

Housing Ombudsman's contact details but continue to investigate the complaint.

- 3.10 On receipt of the escalation request, we will set out our understanding of issues outstanding and the outcomes the customer is seeking. If any aspect of the complaint is unclear, the customer must be asked for clarification.
- 3.11 In addition to the content outlined in 1.16, the response should make it clear that it is the final stage of the process and how to escalate the matter to the Housing Ombudsman Service if the customer is a tenant, leaseholder or housing applicant of Connect.

4 Exclusions from this policy

- 4.1 Anonymous complaints are not dealt with through this complaints policy and procedure. However, depending on the nature of the complaint, it may be necessary to investigate the matter in order to protect the association's interests.

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- 5.1 Connect reserves the right to refuse to deal with complaints that are pursued unreasonably or in an aggressive or abusive manner. The Housing Ombudsman Service's document "Unacceptable User Actions and Behaviour" is appended to give guidelines on how to handle such complainants (see Complaints Policy and Procedure Appendix 1).
- 5.2 If we decide not to accept a complaint, a detailed explanation will be provided to the customer setting out the reasons why the matter is not suitable for the complaints process and, if they are eligible, the right to take that decision to the Ombudsman.
- 5.3 Connect reserves the right to deal with a complaint differently (outside the normal procedures) if circumstances require this. In such a rare case, we will record why we have dealt with the complaint differently and inform the complainant accordingly.

- 5.4 Complaints may not be progressed through the Complaints procedure when a tenant has started a specific insurance claim against Connect with reference to the problem. In these circumstances, we will record why we have dealt with the complaint differently and inform the complainant accordingly.
- 5.5 Complaints may not be progressed through the Complaints procedure where a tenant has started legal proceedings against Connect. In these circumstances, we will seek legal advice as to how any offer and resolution, record why we have dealt with the complaint differently and inform the complainant accordingly.
- 5.6 We may not consider a complaint if the issue giving rise to the complaint occurred over six months ago unless there are specific issues around safeguarding or health and safety.
- 5.7 We may not consider a complaint if the issue has already been progressed through our complaints process and no new information is provided.

6 Monitoring and Reporting

- 6.1 For individual cases, a full record of the complaint will be kept, including all related correspondence and any reports. The implementation of response actions will be tracked to ensure they are delivered to agreed timescales.
- 6.2 Complaints will be monitored monthly by Leadership Team and quarterly by Board. The Board will also receive a full report on complaints annually. During the course of each year the Board will receive:
- Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders
 - Reviews of issues and trends arising from complaint handling
 - The annual performance report produced by the Ombudsman, where applicable

- Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies.
- An annual self-assessment against the Complaint Handling Code to ensure complaint handling remains in line with its requirements.

6.3 We will publish the outcome of our self-assessment on the website and include in annual reports. We will report back on wider learning and improvements from complaints to residents via the tenant magazine.

Appendix 1 – HoS Unacceptable user action policy

Unacceptable user action policy

This policy explains how we deal with the small number of cases where the actions of individuals become unacceptable because they involve abuse of our staff or our process

Purpose

Our service is independent, impartial and free. We believe that customers of our Service have a right to be heard, understood and respected. We work hard to be open and accessible to everyone.

Occasionally, the behaviour or actions of individuals using our Service makes it very difficult for us to deal with their complaint. In a small number of cases the actions of individuals become unacceptable because they involve abuse of our staff or our process.

When this happens, we have to take action to protect the health and wellbeing of our staff who have a right to do their jobs without fear of being abused or harassed. We also consider the impact of the behaviour on our ability to do our work and provided a service to others.

This policy explains how we will approach these situations. The policy applies to all areas of our work and to all methods of contact including telephone, face-to-face, letters, e-mails, social media and other digital channels.

Actions the Housing Ombudsman Service considers as unacceptable

People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a customer approaching the Ombudsman.

However, the Housing Ombudsman will not tolerate unacceptable behaviour nor actions that result in unacceptable or excessive demands on our service in that it prevents staff from carrying out their duties effectively.

It is these behaviours and actions that we aim to manage under this Policy.

Aggressive or abusive behaviour

We understand that many customers are often upset and angry about the issues they have raised in their complaint. If that anger escalates into aggression towards the Housing Ombudsman Service staff, we consider that unacceptable. Any violence or abuse towards staff will not be tolerated.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause staff to feel offended, afraid, threatened or abused.

We will judge each situation individually and appreciate individuals who come to us may be upset. While we accept that those who contact us may feel angry, it is not acceptable to shout or swear at Housing Ombudsman Service staff.

Unacceptable language is that which:

- is offensive, derogatory or patronising,
- is discriminatory in any way, including racist, sexist, homophobic or transphobic comments; or
- makes serious allegations that individuals have committed criminal, corrupt or perverse conduct without any evidence.

We may decide that comments aimed not at us but at third parties are unacceptable because of the effect that listening or reading them may have on our staff. Examples include rudeness, offensive comments, derogatory remarks, making inflammatory statements, or raising unsubstantiated allegations made towards these third parties.

Threats against staff will be taken very seriously and if staff feel scared or threatened at any point during a conversation with a customer, the interaction may be ended at any time.

Unreasonable demands

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of this Service.

Examples of this behaviour include:

- repeatedly demanding response within an unreasonable timescale,
- insisting on seeing or speaking to a particular member of staff, when that is not possible,
- repeatedly changing the substance of a complaint or raising unrelated concerns.

An example of such impact would be that the demand takes up an excessive amount of staff time and in doing so disadvantages other customers and prevents their own complaint from being dealt with quickly.

Unreasonable levels of contact

Sometimes the volume and duration of contact made to our service by an individual causes problems. This can occur over a short period, for example, a number of calls in one day or hour.

It may occur over the life-span of a complaint when a customer repeatedly makes long telephone calls to us or inundates us with copies of information that has been sent already or that is irrelevant to the complaint.

We consider that the level of contact has become unacceptable when the amount of time spent talking to a customer on the telephone, or responding

to, reviewing and filing emails or written correspondence impacts on our ability to deal with that complaint, or with other customers' complaints.

Harassment

Staff have the right to carry out their duties free from harassment or threats of harassment. We ask all customers to respect that staff are delivering services and communication decisions on behalf of the Housing Ombudsman and therefore this may not reflect their own views or preferences.

Examples of behaviours we consider to be harassment against our staff include:

- recording telephone discussions and publishing the information online such as through YouTube, Vimeo or Twitter;
- contacting staff using their personal details or social media presence such as Facebook, Twitter or LinkedIn;
- publishing personal, sensitive or private information about staff online or other public domains such as noticeboards or newsletters.

Unacceptable or excessive demands

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of this Service.

Examples of this behaviour include:

- repeatedly demanding a response within a timescale outside of service level agreements,
- insisting on, or refusing to, speak to a particular member of staff, when that is not possible,
- repeatedly changing the substance of a complaint or raising unrelated concerns,
- Making repeated and unnecessary contact during the course of us dealing with a complaint or carrying out an investigation,
- Refusing to accept a decision where explanations for the decision have been provided.

An example of such impact would be that the demand takes up an excessive amount of staff time and in doing so disadvantages other customers and prevents their own complaint from being dealt with quickly.

Unacceptable and persistence levels of contact

Sometimes the volume and duration of contact made to our service by an individual causes problems. This can occur over a short period or over the life-span of a complaint.

We consider that the level of contact has become unacceptable when the amount of time spent talking to a customer on the telephone, or responding to, reviewing and filing emails or written correspondence impacts on our ability to deal with that complaint, or with other customers' complaints.

Unacceptable or persistent levels of contact include:

- Continuous contact while we are in the process of considering a matter,
- Repeated telephone calls over a short period, for example, a high number calls in one day or week,
- Lengthy telephone calls repeating the same points of discussion,
- High volumes of information provided by email or post referencing the same issues,
- unnecessarily or excessive copying us into emails to other parties.

Refusal to co-operate

When we are looking at a complaint, we will need to ask the individual who has complained to work with us. This can include agreeing with us:

- the complaint we will look at,
- to provide us with further information, evidence or comments on request, or
- help us by summarising their concerns.

Sometimes, an individual repeatedly refuses to co-operate and this makes it difficult for us to proceed. We will always seek to assist someone if they have a specific, genuine difficulty complying with a request.

However, we consider it is unacceptable to bring a complaint to us and then not respond to clear and appropriate requests by staff.

Reasonable adjustments

We understand that some customers may find it difficult for them to express themselves or communicate clearly, especially when they are anxious or upset. In order to do this, we ask that residents explain what adjustments they're looking for and how this will ensure they can access this Service.

We will always consider making reasonable adjustments for a resident if we are asked to do so. Examples of adjustments we can consider are:

- we could consider using different methods of communication;
- providing written communication in large print, coloured text, or in translation;
- giving clear warnings if conversations become unproductive and allowing customers to opportunity to modify their behaviour before ending a call.

However, we do not expect our staff to accept being subjected to aggressive, offensive, threatening or abusive actions, language or behaviour.

We may still use the policy if there are actions or behaviours which are having a negative effect on our staff or our work even where a reasonable adjustment has been made.

Actions we may take

When we experience behaviour or demands which are unacceptable, we may consider taking more formal action. The actions we will consider can include the following:

- Warning the customer about their behaviour and requesting that the customer modifies their behaviour in future contact with us.
- Appointing a specific point of contact for the customer at the Housing Ombudsman Service
- Communicating only in writing or via a representative
- Deciding not to investigate a complaint on the basis that it has been pursued in a way that is unacceptable.
- Stop all communication with a customer
- Restricting or limiting contact with the Housing Ombudsman Service
- In exceptional circumstances, notify relevant public authorities

Where it is decided that formal action must be taken to manage someone's behaviour (for example, declining to investigate a complaint), we will inform them of the decision in writing. A note will be placed on our records to this effect.

Customers have the right to appeal the decision and they will be informed how to do this in the formal letter.

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