

# Shropshire Rural Housing Association



## COMPLAINTS POLICY

(April 2024 – Review – April 2027)

## COMPLAINTS POLICY

### INTRODUCTION

Shropshire Rural Housing Association (SRHA) aims to provide a high quality service to all its tenants and applicants. In particular it seeks to identify and deal with causes of discontent at an early stage. However, should there be complaints, these are taken seriously and play a positive part in improving future service delivery. Complainants should not pursue issues through other channels until, and unless they have first exhausted the Association's own complaints procedure.

### WHAT IS A COMPLAINT?

We are members of the Housing Ombudsman Scheme and have adopted the definition of a complaint as set out in the Housing Ombudsman's Complaint Handling Code 2024:

*A complaint shall be defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of actions by the Association, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.*

When an expression of dissatisfaction is received SRHA will give the complainant the choice of to make a complaint.

A complainant does not have to use the word "complaint" for it to be treated as such and complaints will be treated as such unless there is a valid reason not to do so.

SRHA will recognise the difference between a SERVICE REQUEST and a COMPLAINT. A SERVICE REQUEST is a request from a resident to the landlord requiring action to put something right at the first time of asking. If the issue is not resolved and the resident reports this on numerous occasions this will be considered as a complaint.

If the complaint relates to a third party, e.g. a contractor this policy will apply.

The following are excluded from the Association's complaints policy.

- An expression of dissatisfaction may be dealt with outside of the Complaints Policy if it can be dealt with "there and then" by the person handling the issue. These may include such things as missed appointments, which may be resolved with an apology and provision of another appointment.
- A complaint already under investigation, unless there is new evidence
- The issue giving rise to the complaint occurred over twelve months ago. Where the problem is a recurring issue, we will consider any older reports as part of the background of the complaint.
- Any issues relating to Shropshire HomePoint, which should be covered under their own complaints policy.
- Legal proceedings have started.
- Matters that have previously been considered under the complaints policy.

In these cases, an explanation will be provided and the resident has the right to challenge this decision by bringing the case to the Ombudsman.

## **POLICY STATEMENT**

Whilst we aim to get everything right first time, we appreciate that on occasions, our customers may not be satisfied with a service we have provided or where we have failed to provide a service that was our responsibility. We encourage customers to tell us when something has gone wrong or where they are dissatisfied, so that we can do something about it, learn from it and make any necessary improvements.

SRHA will accept complaints referred to them within twelve months of the issue occurring or the resident becoming aware of the issue. SRHA will use discretion to accept complaints outside this time limit.

SRHA will consider individual circumstances of each complaint

While we aim to treat all of our customers with fairness and respect, we acknowledge that we may have customers whose behaviour is unacceptable, either through repetitively complaining without substance, those who continually complain about the same issue or those who are aggressive or abusive. We will acknowledge and investigate their complaint but will have a procedure to follow separately through our Managing Unacceptable Behaviour Policy.

## **HOW TO COMPLAIN?**

This policy enables complainants to raise a complaint through various channels. . If a tenant, applicant or member of the public wishes to express their dissatisfaction about the action or lack of action or actions of a member of the Association's staff, they may do so in the following ways:

- By letter or fax to:  
**Shropshire Rural Housing Association**  
**The Maltings**  
**59 Lythwood Road**  
**Bayston Hill**  
**Shrewsbury**  
**Shropshire**  
**SY3 0NA**  
(Fax number: 01743 874003).
- By telephone to **01743 874848**
- In person
- By email to [enquiries@shropshirerural.co.uk](mailto:enquiries@shropshirerural.co.uk)
- Via our website [www.shropshirerural.co.uk](http://www.shropshirerural.co.uk)
- Via our social media channels on Facebook and Twitter (we will endeavour to maintain privacy when responding to these complaints).

## **THE COMPLAINTS PROCESS**

### **INITIAL CONTACT**

When the tenant first contacts us with an expression of dissatisfaction, the relevant member of staff will endeavour to resolve the matter promptly. The member of staff handling the contact will confirm that the complainant is happy with our response and advise them that if they are not satisfied, it can be progressed to a formal complaint.

### **FORMAL COMPLAINT**

Our formal complaints process has two stages and can then be referred to Housing Ombudsman, after eight weeks.

Complainants may not need to use all stages as this will depend on how satisfied they are with our response at the end of each stage. Any request to escalate a complaint to the next stage will not be unreasonably refused.

The Housing Ombudsman service can assist complainants throughout the life of the complaint through the opportunity to engage with the Ombudsman's Dispute Support Advisors.

When we receive a formal complaint, this will be acknowledged, defined and logged in writing by the Complaints Officer, within five working days of receipt.

The complainant will be advised they can have a representative deal with the matter on their behalf and to be represented or accompanied at any meeting with the landlord. We will not reasonably refuse a request by the complainant to be accompanied at meetings to discuss the matter.

Any reasonable adjustments agreed and any disabilities disclosed by the resident will be recorded in an appropriate manner

At the completion of each stage of the complaints process SRHA will write to the tenant advising them of the following:

- The complaint stage
- The outcome of the complaint
- The reasons for any decision made
- The details of any remedy offered to put things right
- Details of any outstanding actions
- Details of how to escalate the matter if dissatisfied.
- Details of how to contact the Housing Ombudsman

Once the complaint has been finalised, the complainant will be contacted to seek feedback on the complaint handling process in order to encourage positive complaint and learning culture within the Association.

#### STAGE ONE - INVESTIGATION

- The Stage One investigation will be carried by the Complaints Office or Chief Executive.
- When we receive a complaint, we will carry out a full investigation and do our best to resolve the complaint to the satisfaction of the customer
- We will confirm the following in writing to the tenant at the completion of stage 1.
  - The complaint stage
  - The complaint definition
  - 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 issues
  - Details of how to escalate to Stage 2 if the individual is not satisfied with the response.
- Customers will receive a full response within 10 working days of being acknowledged, if this is not possible an explanation and a date by when the stage one response will be sent to the customer. This will not exceed a further 10 days without a full explanation. The response will be made in writing and will include details of how to take the complaint to the next stage.
- A further extension may be granted with 'good reason'. A new timescale and reason will be provided to the resident alongside the details of the Housing Ombudsman.
- If the customer remains dissatisfied with the outcome or feels that the matter has not been resolved they can request the complaint to be passed to Stage Two.

- To request progression to Stage Two, tenants don't need to say why they remain dissatisfied but the Association will enquire as to why the tenant remains unhappy.

## STAGE TWO – REVIEW

- When a request to escalate to Stage 2 is received, this will be acknowledged, defined and logged within five working days of the escalation request. The Stage two investigation will be carried out by the Chair or Chief Executive of the Association. If the Chief Executive is carrying out the Stage Two review the Chair will be advised.
- From the date that the request to escalate to Stage Two is received from the complainant a response will be sent within no later than 20 working days from the date of request. If this is not possible an explanation and a date for when the Stage Two response will be, will be sent to the customer. This will not exceed a further 20 working days without good reason. The response will include details of how to escalate to the final stage.
- A further extension may be granted with 'good reason'. A new timescale and reason will be provided alongside the details for the Housing Ombudsman.
- The purpose of the Stage Two review is to consider if:
  - The customers complaint is fully understood and addressed
  - All relevant evidence has been taken into account
  - SRHA's policies and procedures were followed correctly
  - That the complaints process was carried out properly and fairly
  - The conclusions reached on the basis of evidence were reasonable and fair
  - Any other actions or remedies are appropriate and sufficient to ensure redress for the complaint.
- SRHA will confirm the following in writing to the tenant at the completion of Stage 2.
  - The Complaint Stage
  - The Complaint definition
  - 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 to the Ombudsman Service if the tenant remains dissatisfied.

If the customer is still unhappy at the end of the Stage Two, the complainants have the option to refer their complaint to a 'designated person'. If the customer is still unhappy at this point, they will need to refer the complaint to the Housing Ombudsman after eight weeks from the stage two decision.

## FAIRNESS IN COMPLAINT HANDLING

SRHA will operate a resident focused process to ensure that complainants are given the opportunity to explain their point of view and the outcome they are seeking before a decision is reached.

SRHA will give residents the opportunity to have a representative to deal with their complaint on their behalf, and to be represented and/or accompanied at any meeting with SRHA where this has been requested or offered and where reasonable in line with the Equality Act 2010 and our own Equality & Diversity Policy.

To ensure fairness, processes and procedures shall require the Complaints Officer to:

- Deal with complaints on their merits
- Act independently and have an open mind
- Take measures to address any actual or perceived conflict of interest

- Consider all information and evidence carefully
- Keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.
- The assessment of the issue should include
  - What the complaint is about
  - What evidence is needed to fully consider the issues
  - What risks the complaint raises for SRHA as a landlord
  - What outcome would resolve the matter for the tenant
  - Any urgent action that SRHA needs to take.

## **PUTTING THINGS RIGHT**

When something has gone wrong, SRHA will acknowledge this, and set out the actions it has already taken or intends to take, to put things right.

Examples of where action to put things right may be required, include:

- There was an unreasonable delay
- Inaccurate or inadequate advice, explanation or information was provided to the resident
- SRHA's policy and procedure was not followed correctly without good reason
- There was factual or legal error that impacted on the outcome for the resident
- There was unprofessional behaviour by staff/contractors.

SRHA will acknowledge and apologise for any failure identified, give an explanation and, where possible, inform the resident of the changes made or actions taken to prevent the issue from happening again.

When considering what action will put things right, SRHA will carefully manage the expectations of residents. We will not promise anything that cannot be delivered or would cause unfairness to other residents.

## **APPROPRIATE REMEDY**

SRHA's policy requires that any remedy offered reflects the extent of any and all service failures, and the level of detriment caused to the resident as a result. These will include:

- Acknowledging when things have gone wrong
- Providing an explanation, assistance or reasons
- Apologising
- Taking action if there has been a delay
- Reconsidering or changing a decision
- Amending a record
- Providing a financial remedy if appropriate
- Changing policies, procedures or practices.

Any remedy offered will reflect the extent of any service failures and the level of detriment caused to the resident as a result.

Factors to consider in formulating a remedy can include, but are not limited to the:

- Length of time that a situation has been ongoing
- Frequency with which something has occurred
- Severity of any service failure or omission
- Number of different failures

- Cumulative impact of the resident
- A resident's particular circumstances or vulnerabilities.

When offering a remedy SRHA will clearly set out what will happen and by when in agreement with the resident where appropriate. Any remedy proposed will be followed through to completion.

If awarding compensation, SRHA will consider whether any statutory payments are due, if quantifiable losses have been incurred as well as the time and trouble a resident has been put to as well as any distress or inconvenience caused. If financial compensation is awarded and the tenant is in arrears, any compensation may be paid against the rent account depending on the level of arrears and value of compensation being awarded.

### **CONTINUOUS LEARNING AND IMPROVEMENT**

Wherever possible SRHA will learn from the cause and outcomes of individual complaints and trends in both formal and informal complaints in order to improve service delivery to the customer

Wider learning and improvements from complaints will be reported to residents, managers and staff. Feedback will be provided to Tenant Matters Committee and Board. An annual complaints performance and service improvement report will be produced.

An Annual self-assessment against the Housing Ombudsman's Complaint Handling Code will be carried out, agreed with Tenant Matters Committee and Board and submitted to the Housing Ombudsman within its required timescales. This will also be published in our Annual Report

### **CONTACT DETAILS FOR THE HOUSING OMBUDSMAN SERVICE ARE:**

- Postal address: Housing Ombudsman Service, PO Box 1484, Unit D, PRESTON, PR2 0ET,
- Phone: 0300 111 3000. The phone lines are open Monday – Wednesday 9.00 am to 5.00 pm, Thursday 9.00 am to 3.30 pm and Friday 9.00 am to 5.00 pm
- Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)
- Online complaint form: [www.housing-ombudsman.org.uk/residents/make-a-complaint](http://www.housing-ombudsman.org.uk/residents/make-a-complaint).