

Complaints Procedure

1 Purpose

- 1.1 This procedure is designed to provide staff with guidance on effective complaint handling to ensure compliance with the Housing Ombudsman’s Complaint Handling Code 2024 and the Building Safety Act 2022.
- 1.2 At Hastoe we aim to deliver excellent services to residents, but we recognise that sometimes things go wrong and when this happens we want to put things right and stop it happening again. We value feedback from residents and will use this to improve our services.

2 Related Hastoe Group Policies and Procedures and UK Legislation

- 2.1 All staff using this procedure must ensure that they have also read the associated Complaints policy and the Housing Ombudsman’s Complaint Handling Code 2024. There are links to the following Group Policies and Procedures:

Complaints policy
Fire Safety policy
Fire Safety procedure (Residential Buildings)
Compensation policy
Compensation procedure

- 2.2 The key legislation and/or regulations relevant to this Policy is:

Social Housing (Regulation) Act 2023
Building Safety Act 2022
Equality Act 2010

3 Process

- 3.1 A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by Hastoe, our own staff, or those acting on our behalf, affecting a resident or group of residents.
- 3.2 A resident does not have to use the word ‘complaint’ for it to be treated as such. Whenever a resident expresses dissatisfaction we will give them the choice to make a complaint. This includes complaints submitted by a third party or resident representative.
- 3.3 This procedure ensures that complaints can be made as easily as possible. A complaint can be made by:
 - Telephone
 - Face to face
 - SMS
 - The Hastoe website or MyHastoe portal

- In writing by letter or email
- A third party such as an MP, Councillor, advocate, friend or family member. Although the complainant will have to give permission in most circumstances.

3.4 If a resident raises a complaint via social media, we will not deal with the complaint via social media, but a member of the Customer Services team will advise them how they can raise a formal complaint using another channel.

4 Reasonable Adjustments

4.1 At all parts of our complaints process, those involved in logging, investigating and responding to complaints should consider whether reasonable adjustments are required either to this procedure or other policies and procedures to take into account any vulnerabilities presented by the complainant.

5 Acceptable Behaviour

5.1 From time to time a small minority of complainants may behave in a way that makes it difficult to effectively investigate their complaint and become overly time consuming to manage.

5.2 Staff handling complaints from residents or their representatives displaying unacceptable behaviours should refer to the Acceptable Behaviour policy.

6 Exclusions

6.1 There are some exclusions whereby we will not investigate an issue as a complaint as follows:

- The issue that is being complained about happened over twelve months ago. If there is a good reason why the issue wasn't raised prior to this time we may consider this as a complaint, but this will be at our discretion.
- Legal proceedings have started and a claim has been filed at court.
- Matters that have previously been considered under the complaints policy.

6.2 Where it is considered that the complaint should be excluded from our process, the issue should be tasked to the Customer Services Manager who will decide whether or not to exclude the complaint. Where it is decided that we will not accept a complaint, a detailed explanation will be provided to the complainant and the right to take the decision to the Ombudsman. The individual circumstances of each complaint will be considered by the Customer Services Manager before making this decision. The Letter 1 must be used in these circumstances.

7 Service Requests

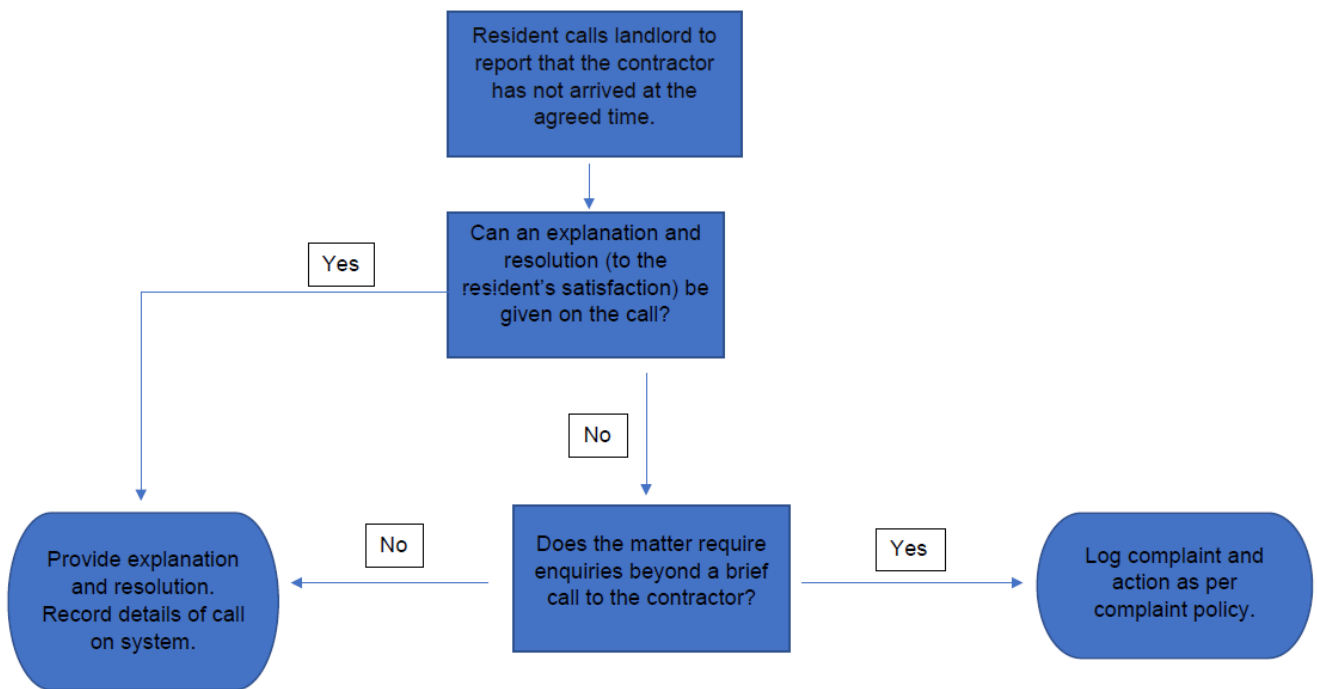
7.1 A service request is when a resident or third party representing a resident contacts us and requires action from Hastoe to put something right, such as a missed appointment, or a complaint about a neighbour. Where these are issues that can be easily put right by contacting a contractor on the resident's behalf, or raising a case for a Housing Officer to investigate antisocial behaviour, for example, we will not raise these as a complaint.

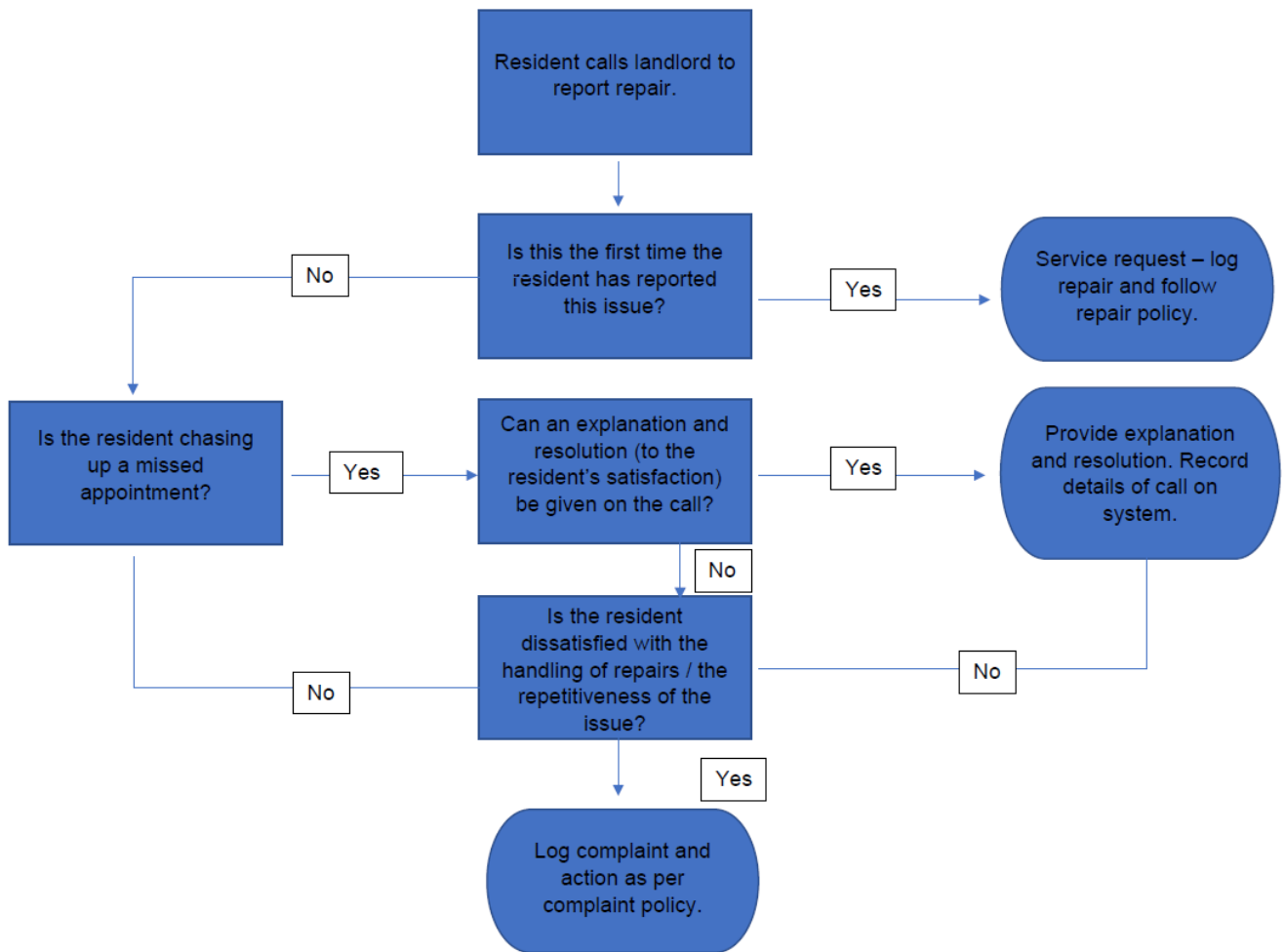
7.2 If, however, the resident is dissatisfied with the repetitiveness of issues with handling a repair, or the resident is dissatisfied with how we've managed previous complaints of ASB, for example, then the issue should be logged as a formal complaint.

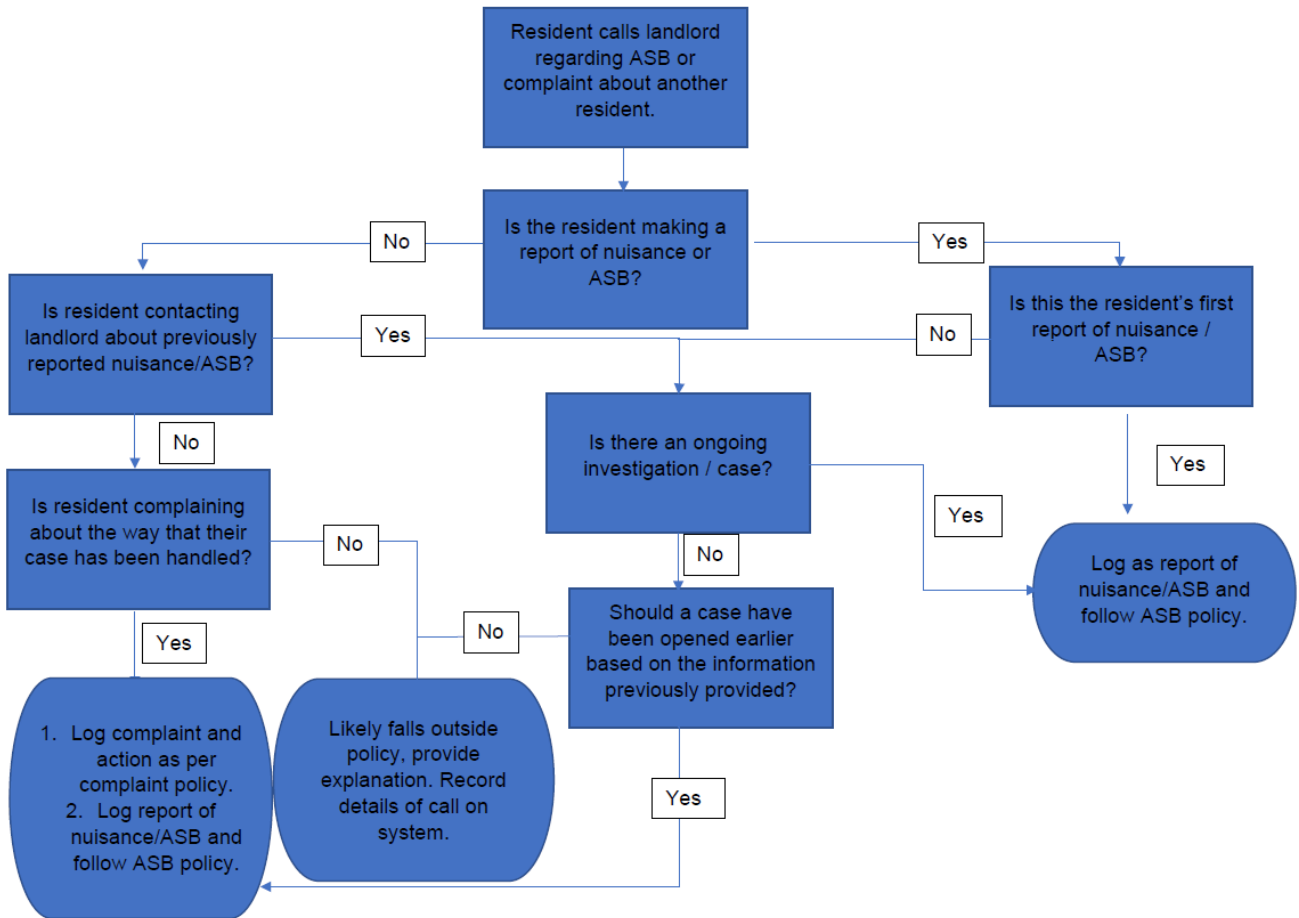
7.3 If the issue is to be dealt with as a service request, this should be logged on ActiveH as a Service Request by the member of staff dealing with the resident or their representative. A task must be

raised to the correct team or member of staff dealing with the service request and the resident advised who will be dealing with this and the timescales by which it will be dealt with.

7.4 The flow charts below taken from the 2024 Housing Ombudsman’s Complaint Handling Code should be followed by staff when considering whether to raise an issue as a service request or a complaint:







7.5 If the issue that is causing dissatisfaction should be logged as a formal complaint the following process must be followed:

8 Complaints from residents in Higher Risk Buildings (HRBs)

8.1 If a complaint is made by a resident who lives in a building that is 18 metres or more in height, or has at least 7 floors, there is a different body by which they may be able escalate their complaint to. These buildings are:

- Chichester House, Plymouth
- Menlo Gardens, Beulah Hill
- Tower Heights, Hoddesdon
- Victor Court, Hornchurch

8.2 The Building Safety Act 2022, requires that complaints about the building safety risk or performance of the Accountable Person in these buildings can be escalated to the Building Safety Regulator, rather than the Housing Ombudsman. Building safety risk means a risk to the safety of people in or about the building arising from the spread of fire or structural failure. The Accountable Person is Hastoe Housing Association.

- 8.3 These complaints will follow the same two stage process of all other complaints, but the resident will be given the contact details of the Building Safety Regulator rather than the Housing Ombudsman to enable them to escalate their complaint, should they choose to.

9 Formal Complaints – Stage One

Logging and Acknowledging the Complaint

- 9.1 When an issue arises that either should not or could not be resolved as a Service Request, then the member of staff should log a call on the ActiveH CRM and raise a task to the Customer Services team.
- 9.2 When this is received by the Customer Services team, either directly from the resident or via a task raised by another Hastoe staff member, the Customer Services Advisor should discuss with the resident or their representative the issue that they are dissatisfied with to fully understand what the complaint is about and what they would like as a resolution to the complaint.
- 9.3 When discussing the complaint with the resident, the Customer Services Advisor, should try to establish whether the resident is vulnerable or at risk and their communication preferences with the complaint handler.
- 9.4 Where the resident is raising the complaint via a third party, the Customer Services Advisor must check Liberty and ActiveH to ensure that we already have permission from the resident to discuss tenancy matters with a third party. Where this isn't in place, the third party should be advised that before any response to a complaint is sent or any discussion is had in relation to the resident's tenancy or lease, then we will need signed permission from the tenant or leaseholder the complaint relates to. The Customer Services Advisor must send Letter 3 to the tenant or leaseholder.
- 9.5 Before logging the complaint on ActiveH and sending an acknowledgement letter, the Customer Services Advisor should review the history on the system to ensure that this issue hasn't been previously dealt with as a complaint. Where this has previously been dealt with as a complaint, the Customer Services Advisor should discuss this with the Customer Services Manager to see if this should be excluded from our complaints process as detailed in Section 4 of this procedure or, if the issue has already been investigated at stage one of our process, whether this should be an escalation of the previous issue to stage two or our process rather than logging it at stage one.
- 9.6 The Customer Services Advisor must acknowledge, define and log the complaint within 5 working days of the resident requesting to make the complaint. The process to be followed is:
- Raise a Complaint Case in ActiveH
 - Include the detail of the complaint in the case notes field.
 - Ensure that the complaint category and sub category fields are completed using the drop down lists.
 - If the complaint is in relation to an HRB detailed in section 7 of this procedure, then consider whether the complaint is in relation to a building safety risk of the performance of the Accountable Person. If it is, the complaint category selected must be 'Building Safety Regulator'.
 - Include in the diary notes whether the resident is vulnerable or at risk.
 - Include in the diary notes the communication preferences of the resident.
 - Where the complaint is being made using a third party, include in the diary notes whether or not there is already authority for the third party to deal with the complaint or whether we are waiting for this to be returned from the resident.
 - Acknowledge the complaint using Letter 2 and enclosing a copy of our complaints leaflet.

- Assign the case to the stage 1 complaint handler

Stage one complaint investigation and response

- 9.7 The stage 1 complaint handler should respond in full to the complaint within 10 working days of the complaint being acknowledged. It is important for the complaint handler to ensure that they understand the full nature of the complaint as soon as possible to enable a full investigation before the response deadline.
- 9.8 On receipt of the case in ActiveH the stage 1 complaint handler should contact the resident to introduce themselves and summarise what they will be investigating and what the resident has requested as an outcome following the acknowledgement letter sent by the Customer Services team. They should confirm with the resident if this is correct and whether they have anything they wish to add to this.
- 9.9 Following the confirmation of the complaint with the resident, the complaint handler must check both the category and sub category of the complaint in the case in ActiveH to ensure that it is correct.
- 9.10 As part of the investigation, the stage 1 complaint handler may need to request additional evidence to support the resident's complaint. They should advise the resident on how to provide this evidence and when they will need this by to enable the complaint investigation and response to be made within the 10 working day deadline.
- 9.11 If the resident raises additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint. In these cases this should be tasked to the Customer Services team in ActiveH by raising a call in the CRM as per section 6.2 of this procedure.
- 9.12 If the complaint is particularly complex, then the complaint handler should determine whether 10 working days is enough time to fully investigate and respond to the complainant. If it isn't, then they should explain this to the complainant and provide a new date by which they will respond. Any extension must be no more than a further 10 working days, without good reason. Letter 4 must be used in these circumstances.
- 9.13 When the investigation is complete and the outcome is known, the complaint handler must send a full written response to the resident. There may be outstanding actions left to address the issues, but this must not prevent a response letter being sent.
- 9.14 If compensation is being offered to remedy the complaint, then the stage two complaint handler must follow the Compensation policy and procedure, and take account of the guidance issued by the Housing Ombudsman:

<https://www.housing-ombudsman.org.uk/landlords-info/guidance-notes/ombudsmans-policy-and-guidance-on-remedies/>

- 9.15 The response letter must address all points raised in the complaint and provide clear reasons for any decisions, referencing relevant policy, law and good practice where appropriate. Stage 1 complaint handlers must use Letter 5 in responding to the complaint.
- 9.16 Once the stage one response has been sent to the complainant, or their third party representative, any outstanding actions left to address the issues or service improvements to be implemented must be detailed in the Incident tab in the complaint case in ActiveH. The incident tab must be kept

updated by the stage one complaint handler for each contact made to the resident in relation to progress with these actions or other action the complaint handler has taken.

- 9.17 The complaint must be left open and regularly monitored by the stage one complaint handler until all actions are completed. The stage one complaint handler must provide the resident with regular updates.
- 9.18 As part of the complaint response, the resident will be given the opportunity to escalate their complaint if they remain dissatisfied following the stage 1 response. The resident is asked to contact the stage 1 complaint handler within one month if they wish to do this. If they request escalation outside of this time period, the stage 1 complaint handler should discuss this with the Customer Services Manager. In most cases, we will escalate the complaint after this time period, if issues remain unresolved and it is less than 12 months since the stage 1 complaint response was sent.
- 9.19 If the complaint needs to be escalated to the next stage then the stage 1 complaints handler is responsible for sending an acknowledgement to the resident, or a third party representative, using Letter 6. This acknowledgement must be sent and the ActiveH complaint case process moved to stage 2 within 5 working days of the resident requesting the escalation.
- 9.20 If the resident does not wish to escalate the complaint and all actions are completed, then the stage 1 complaint handler must close the case in ActiveH ensuring that they have recorded any service improvements and recorded details of any compensation awarded in accordance with the ActiveH complaint handling system process guide.

10 Formal Complaint – Stage 2

- 10.1 Although residents must not be required to explain their reasons for requesting an escalation to stage 2, the stage 2 complaint handler should contact the resident on receipt of the case to introduce themselves and try to establish why the resident remains dissatisfied following the stage 1 response.
- 10.2 Following the confirmation of the complaint with the resident, the complaint handler must check both the category and sub category of the complaint in the case in ActiveH to ensure that it is correct.
- 10.3 If the complaint is particularly complex, then the complaint handler should determine whether 20 working days is enough time to fully investigate and respond to the complainant. If it isn't, then they should explain this to the complainant and provide a new date by which they will respond. Any extension must be no more than a further 20 working days, without good reason. Letter 7 must be used in these circumstances.
- 10.4 When the investigation is complete and the outcome is known, the complaint handler must send a full written response to the resident. There may be outstanding actions left to address the issues, but this must not prevent a response letter being sent.
- 10.5 If compensation is being offered to remedy the complaint, then the stage two complaint handler must follow the Compensation policy and procedure, and take account of the guidance issued by the Housing Ombudsman:

<https://www.housing-ombudsman.org.uk/landlords-info/guidance-notes/ombudsmans-policy-and-guidance-on-remedies/>

- 10.6 The response letter must address all points raised in the complaint and provide clear reasons for any decisions, referencing relevant policy, law and good practice where appropriate. Stage 2 complaint handlers must use Letter 8 in responding to the complaint.
- 10.7 Once the stage 2 response has been sent to the complainant, or their third party representative, any outstanding actions left to address the issues or service improvements to be implemented must be detailed in the Incident tab in the complaint case in ActiveH. The incident tab must be kept updated by the stage two complaint handler for each contact made to the resident in relation to progress with these actions or other action the complaint handler has taken.
- 10.8 The complaint must be left open and regularly monitored by the stage two complaint handler until all actions are completed. The stage two complaint handler must provide the resident with regular updates.
- 10.9 If the complaint falls into the category detailed in section 7 of this procedure, the complaint handler must ensure that the letter sent to the resident contains the details of the Building Safety Regulator rather than the Housing Ombudsman. If the complaint contains issues relating to both building safety and other issues, the letter must contain both the BSR and HOS details.

11 Review

- 11.1 This Procedure supersedes all previous procedures of its kind. It will be reviewed periodically to ensure that it continues to meet the needs of Hastoe Group and is in line with current legislation and at least every 2 years.