



# SOUTH DEVON RURAL

HOUSING ASSOCIATION LIMITED

## Complaints Policy

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**This policy outlines our approach to handling complaints, in line with the Housing Ombudsman's Complaint Handling Code.**

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**Last Reviewed:** March 2024

**Date for Review:** March 2026

# Complaints Policy

## 1. Policy Statement

- 1.1 South Devon Rural's (SDR) aim is to provide residents with outstanding customer service; however, we understand that occasionally things can go wrong. If this happens, we want to make things right as soon as possible, learn from what has happened, and do what we can to stop it happening again – we are committed to a positive complaint handling culture. The purpose of this policy is to provide a framework for dealing with complaints.
- 1.2 We will normally try to resolve your complaint informally in the very first instance, with your agreement, although we can handle this through our formal process if you prefer.
- 1.3 Accountability and transparency are integral to a positive complaint handling culture. SDR's Board receive trend data on complaints.
- 1.4 Our Complaints Policy is published on our website and is available in large print on request. We can also provide a translation of the policy on request. We can also provide the policy in large print or in braille.
- 1.5 We will carry out an annual self-assessment to ensure our complaint handling remains in line with the Housing Ombudsman's Complaint Handling Code and will publish this on our website.

## 2. Definitions

- 2.1 We define 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 tenant or group of tenants.'***
- 2.2 You do not have to use the word complaint for us to treat your dissatisfaction as a complaint and where you express dissatisfaction we will always give you the choice to make a complaint.
- 2.3 An initial request for a service such as reporting a repair for the first time will not be considered a complaint. A service request is a request requiring action to be taken to put something right. Service requests are not complaints but are recorded. Monitored and reviewed regularly.
- 2.4 A complaint will be raised if you express dissatisfaction with the response to

your service request, even if the handling of the service request remains ongoing. We will continue to deal with your service request even if you make a complaint.

### **3. Making a complaint**

3.1 You can raise a complaint in person, over the telephone, in writing, by email and on our website. If you make a complaint, we aim to resolve things quickly and in no more than two steps. You can have a representative deal with your complaint on your behalf, and be represented or accompanied at any meeting with us where this is reasonable. We will ask for your authority to speak to a representative about the complaint on your behalf. Reasonable adjustments will be made to ensure any need you have does not limit you in making a complaint or engaging in the complaints process.

3.2 We will keep a record of any reasonable adjustments agreed, as well as a record of any disabilities you disclose as part of your complaint. Any agreed reasonable adjustments will be kept under active review.

3.3 Complaints must be raised within 12 months or as close as possible to the point at which the issue first arose or when the complainant first became aware of the problem.

### **4. What is not a complaint?**

4.1 There are some things that we do not consider to be a complaint. Such as:

- A first time request for a service including a request for information or an explanation
- Refusal of a Data Protection Rights request or disclosure of redacted or withheld information, where our decision is made on a lawful basis
- Complaints where the issue occurred over 12 months ago
- Something we have no control over such as Local Authority Housing Allocations
- Complaints that have already been considered under our complaints process
- Insurance claims for damages being dealt with by our insurers
- A matter being dealt with through legal action. (This is defined as details of the claim, such as the claim form and Particulars of Claim having been filed at the court)
- Matters already being dealt with by the Housing Ombudsman service

4.2 If we do not accept your complaint, we will give you an explanation setting out the reasons why and outline your right to access the Ombudsman about your complaint. We will consider each complaint on its merits before deciding

whether to accept it or not.

## 5. Our discretion

5.1 We reserve the right to use discretion when applying this policy and may deal with a complaint differently where individual circumstances merit it. Any discretion will be applied fairly and appropriately to maximise the opportunity to resolve a dispute.

## 6. The Complaints Process

6.1 There are two stages to SDR's Complaints Policy:

### Stage one

- We will acknowledge and log your complaint within **5 working days** of receipt. We will make you aware of your right to access the Housing Ombudsman Service at this point and throughout your complaint.
- In acknowledging your complaint we will make it clear which aspects of the complaint we are, and are not responsible for and clarify any areas where this is not clear.
- Your complaint will be assigned to a member of our team, who will investigate your complaint in an impartial manner, seeking sufficient, reliable information from all parties so that fair and appropriate action can be taken. The member of staff will keep you updated on the progress of your complaint.
- We will respond to your complaint within **10 working days** of the complaint being acknowledged.
- In the rare occasion that we need more time to respond to your complaint, we will provide a clear explanation; this won't be longer than a further 10 working days. Where a response to a complaint will fall outside the timescales set out in the Housing Ombudsman Complaints Handling Code, we will agree with you suitable intervals for keeping you informed about your complaint and provide you with the contact details of the Housing Ombudsman.
- If we need an extension beyond **20 working days** to respond to the complaint fully, this will be agreed with you.
- A response will be sent to you when we are able to provide what we feel is a fair resolution to your complaint, not when the outstanding actions to remedy things are completed. Of course, we'll still track the actions and provide regular updates to you until we have fully resolved your complaint.
- Our response to your complaint will include:

- 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 the matter to stage two if you are not satisfied with our response and contact details of the Housing Ombudsman

### **Stage two – complaint appeal**

- If all or part of your complaint is not resolved to your satisfaction at stage one, you can ask us to progress your complaint to stage two – complaint appeal. We will not ask you to explain why you want to escalate your complaint to stage two.
- In acknowledging your stage two complaint we will make it clear which aspects of the complaint we are, and are not responsible for and clarify any areas where this is not clear.
- You can progress your complaint to stage two **up to 12 months** from the date you received our resolution to your complaint at stage one.
- Your complaint will be reviewed by a senior manager who will seek to understand the issues outstanding and the outcomes you want from your complaint.
- The review will look at the handling of the complaint to date, decisions made, the resolution offered and/or will draw upon the views of subject matter experts where necessary to reach a fair resolution wherever possible.
- We will review your complaint and respond within **20 working days** of the complaint appeal being escalated to stage two.
- In the rare occasion that we need more time to respond, we will provide a clear explanation as to why we need more time; this won't be longer than a further **10 working days**. Where a response to a complaint will fall outside the timescales set out in the Housing Ombudsman Complaints Handling Code, we will agree with you suitable intervals for keeping you informed about your complaint and provide you with the contact details of the Housing Ombudsman.
- If we need an extension beyond **30 working days** to respond fully, this will be agreed with you.
- Our complaint response will be sent to you when we have the answer to the complaint, not when the outstanding actions to remedy things are

completed. Of course, we'll still track the actions and provide regular updates to you until we have fully resolved your complaint.

- Our response will include:
  - the complaint stage
  - the complaint definition
  - the decision about the complaint
  - the reasons for any decisions made
  - the details of any remedies offered to put things right
  - details of any outstanding actions
  - details of how to escalate the matter to the Housing Ombudsman Service if you remain dissatisfied

6.2 If you raise additional complaints during our investigations, we will incorporate these into our stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has already been issued the complaint will be logged as a new complaint.

6.3 Where something has gone wrong we will acknowledge this and set out in our responses to you what actions we have already taken or intend to take to put things right.

## **7. Further options**

If your complaint is still not resolved to your satisfaction at stage two, you can refer your complaint to the Housing Ombudsman Service.

They are contactable at:

- Online complaint form: [www.housing-ombudsman.org.uk/residents/make-a-complaint/](http://www.housing-ombudsman.org.uk/residents/make-a-complaint/)
- Phone: 0300 111 3000
- Email: [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)