



SOUTH DEVON RURAL
HOUSING ASSOCIATION LIMITED

Customer Care Policy

1

Putting things Right - Complaints Policy

This document forms section one of South Devon Rural Customer Care Policy.

Last Reviewed: November 2020

“Putting things Right” - Complaints Policy

1. Introduction

South Devon Rural Housing Association (SDR) aims to give an outstanding service to our customers. However, we acknowledge that occasionally things may go wrong and customers may wish to make a complaint. We want to know if this happens or when customers are unhappy with the service they have received so we can put things right and continually improve. This policy sets out SDR’s commitment to dealing with complaints.

2. Purpose

- 2.1. The purpose of this policy is to ensure that all SDR customers (or their authorised representatives) and any person or people who are affected by an activity or service carried out by SDR can raise their complaint and have it investigated and resolved in a timely manner.

NB: SDR will ask customers to provide authority to deal with a third party on their behalf, if required, in order to protect their personal data.

- 2.2. This policy outlines the way in which complaints are to be managed. It also sets clear guidelines and timeframes, helping you to understand the process when raising your complaint and what you can expect from us whilst we deal with your complaint.
- 2.3. We follow the Housing Ombudsman Service’s dispute resolution principles in our approach to resolving complaints; the principles are to put it right, be fair, and learn from the outcomes.

3. Scope

- 3.1. At SDR, we understand sometimes things go wrong and customers may be dissatisfied with the service they have received.
- 3.2. To ensure that complaints are dealt with in a consistent and effective manner, services that are provided by our contractors may go through a different complaints process which is appropriate and consistent with our approach to complaints. We will monitor complaints received by our contractors and where complaints are not handled by SDR, we will use our discretion to take over the handling of complaints ourselves where we feel it is more appropriate to do.

4. What is a Complaint?

- 4.1. A complaint within this policy is defined 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; where an initial response has not proven satisfactory'.

5. What is not considered a complaint?

5.1. Complaints are different to everyday enquiries such as reporting repairs, rent enquiries or reporting anti-social behaviour issues.

5.2. The following are not considered to be formal complaints:

- A general enquiry or service request.
- a complaint made by an employee about any matter relating to their employment;
- Disputes regarding service charge calculations (apart from complaints about the handling of service charges).
- Communications which relate to Anti-Social Behaviour (apart from complaints about the handling of an ASB case).
- Complaints about services where SDR have no control over such services e.g. where the Local Authority allocates one of our properties to a customer etc.
- Claims for damages (where these can be dealt with as an insurance claim).
- Where the complaint has already exhausted our internal complaints procedure (signposting will be provided to external bodies where appropriate).
- Complaints that are due to be or have already been before a court or tribunal.
- Where someone chooses to pursue a complaint through a solicitor, threatens or takes legal action, SDR will normally refer the matter to their Solicitors and deal with the matter outside of this policy and in accordance with legal advice.
- Complaints that are being pursued in an unreasonable manner. This can include where customers use threatening, abusive or intimidating behaviours or where their complaint is unreasonably persistent, repetitive or vexatious. In these circumstances the matter will be dealt with in line with SDR's Unacceptable Actions and Behaviours Policy which may include suspension of the complaints policy for the duration of any restricted contact imposed.
- Complaints are expected to be made in a timely manner. SDR will not consider or investigate complaints where the cause of the complaint occurred more than six months prior to the complaint being raised.

6. Exceptions

- 6.1. There may be other circumstances where it is not appropriate to follow this complaints policy – We will contact you in writing to explain why the complaint cannot be considered under this policy; we will also signpost you to the most appropriate service or team to progress the matter in a suitable way.
- 6.2. Anonymous complaints cannot be properly investigated, because of insufficient verifiable information, and are therefore discouraged. Where an anonymous complaint is received, SDR will consider if any action is either appropriate or practical.
- 6.3. Where a complaint is received in the form of a petition or a Community Call for Action, this will be logged as a complaint and will be recorded against the nominated spokesperson.
- 6.4. In the event that more than one or multiple complaints are received from a complainant, SDR reserves the right to deal with these as one complaint.
- 6.5. Where a complaint is raised about the actions of a member of staff this will be referred to an appropriate Senior Manager who will assess whether the complaint and the supporting evidence justifies investigatory action and/or disciplinary action. The decision whether or not to initiate investigatory action and/or disciplinary action will be strictly confidential to the member of staff concerned and to SDR.
- 6.6. In exceptional circumstances, a decision may be made to progress a complaint through the procedure more quickly than usual, or to bypass one or more stages of the procedure.
- 6.7. If SDR decides not to accept a complaint a detailed explanation will be provided to the resident setting out the reasons why the matter is not suitable for the complaints process. A resident has the right to challenge this decision by bringing their complaint to the Ombudsman. Where appropriate the Ombudsman will instruct the landlord to take on the complaint.

7. Who can make a complaint?

- 7.1 You can make a complaint if you are the person who is affected by the action, or you can give consent for somebody else to act on your behalf. Complaints can also be made by Designated Persons as defined by the Localism Act 2011. A Designated Person can be an MP, a local councillor. They can intervene on your behalf, to help to resolve a complaint.

8. How to make a complaint

8.1. You can make a complaint by:

- Calling us
- Visiting us in person
- Emailing or writing to us
- Our online website contact form

9. Putting things right

9.1. We follow a two-stage complaints process detailed as Stage 1 and Stage 2. If we have made a mistake, there are several ways we can try to put it right. This includes:

- Making an apology
- Giving a full explanation
- Reviewing a decision, we have already made
- Reviewing our procedures
- Considering making a discretionary payment

We will consider each case on its own merits and offer the most suitable remedy to resolve the issue, to take steps to put things right, and to learn and make service improvements.

10. Complaints process

10.1. **Stage 1** - we aim to resolve all complaints at this stage.

We will acknowledge the Stage 1 complaint within five working days. Where possible we will also call you to discuss your complaint and how we can work to resolve it. Once your complaint is received, we will review it and pass it on to the relevant service lead to investigate. We will also try to resolve the matter straight away.

We will respond to you fully within 10 working days from the day your complaint was received.

If the investigation is going to take longer, we'll be in touch to let you know within 10 days of the complaint being received, with the reasons for the delay and to tell you when you can expect a full reply.

10.2. **Stage 2** - If you are not satisfied with the response given at Stage 1 you can ask us to review our original investigation. You will need to explain how your complaint meets one of the following criteria:

- Your issue was not properly addressed at Stage 1 of the process

- There was something inaccurate in the response given to you
- You have new information or evidence to give to us, that was not available originally

You need to do this as soon as possible, preferably within 20 working days of our response to your Stage 1 complaint.

We will acknowledge your Stage 2 complaint within five working days. Where possible we will also call you to discuss your complaint and how we can work to resolve it. Once your complaint is received, we will review it and pass it on to the relevant service lead to investigate, and we will also try to resolve the matter straight away if this is still outstanding.

The service lead will review the initial investigation to ensure it was thorough and that it followed our complaints policy and procedure. If they are satisfied that it did, the original decision will be upheld.

We will respond to you fully within 20 working days from the day your Stage 2 complaint was received to confirm our decision.

If the investigation is going to take longer, we'll be in touch to let you know within 20 days of the complaint being received, with the reason for the delay and to tell you when you can expect a full reply. This should not exceed a further 10 working day without good reason.

This is the end of our internal complaints process.

11. What if I am still not happy with the outcome to my complaint?

11.1 If you are still not happy with the response you have received, you can choose to refer your complaint to a designated person.

11.2 You also have the option to wait eight weeks from the date of our final decision and then contact the Housing Ombudsman Service to ask them to speak with us on your behalf.

12. Redress - Discretionary Payments

12.1 If the complaint is upheld, the primary aim will be to apologise, put right the problem (wherever that is possible, practical and value for money) and to apply any lessons learnt to improve services – such as revising policies, procedures or providing staff training - to try to avoid a reoccurrence of the

problem. In exceptional circumstances, a discretionary payment may be awarded. Any requests for a discretionary payment will be dealt with in accordance with a separate Discretionary Payment Policy.

13. Mediation

13.1. SDR may suggest mediation at any stage in the complaints process as a mechanism to resolve difficulties or disagreement. Mediation is voluntary, and will only take place with the agreement of all parties. If agreement is reached to enter into mediation, the cost of the mediation process will be met by SDR. The complaints process will be suspended whilst mediation is underway and will only be reinstated if the mediation is unsuccessful in resolving the issue.

14. Policy Objectives

14.1. We will ensure that customers can make a complaint in a number of ways either by telephone, email, letter, live chat or face to face.

14.2. We will acknowledge all complaints and ensure we regularly communicate next steps and timescales.

14.3. We will ensure that formal complaints are handled by a dedicated Resolution Officer or appropriate staff member who will manage the complaint through to completion/escalation.

14.4. We will work with customers to find a mutually agreed resolution, understanding the reason for the complaint, the desired outcome and any timescales. An appropriate response will clearly be communicated to the complainant.

14.5. We will aim to contact our customers once their complaint has been closed to understand whether they were happy with how the complaint was handled and to understand if the customer was happy with the outcome. This information will help us improve our complaints handling service.

14.6. We will capture accurate data to ensure lessons are learned to improve services, this information will be reported periodically to the SDR Board.

15. Equality and Diversity

15.1. This policy clearly details the multiple ways that a complaint can be made, including via an advocate. This will help to remove barriers and ensure fair and equal access to the process for all customers.

15.2. All reasonable adjustments will be made, if disability is considered to be a factor in the registering of a complaint. We will take reasonable steps to accommodate any reasonable adjustments you may have to enable you to

access this policy or receive responses to complaints in other formats and provide such assistance as you may reasonably require.

- 15.3. South Devon Rural Housing Association is committed to making sure our policies and services reflect the community we serve and to meet equal opportunities. Our aim is to make the Complaints policy easy to use and accessible to all of our customers in line with the Equality Act 2010.

16. Review

- 16.1. This policy will be reviewed at least every three years or sooner if legislation or regulations change.