



# Complaints, Compensation and Compliments Policy

June 2023

Issue 2.0

## 1. Introduction

- 1.1 Concept Housing Association (CHA) is committed to providing high quality modern services that are designed and delivered with the resident at the heart of everything it does. It recognises that in some cases, it may not always meet customer expectations and for those occasions, it aims to provide an accessible, easy to follow complaints and compensation policy to address complaints efficiently and effectively and using learning and insight to support continuous improvement.
- 1.2 The policy recognises CHA's statutory and regulatory responsibilities as a Registered Provider of Social Housing (RP) in providing decent and well managed and maintained homes where people want to live and is designed to support a positive complaint handling culture across CHA and its managing agents.

## 2. Policy Statement

- 2.1 The purpose of this policy is to provide an effective resident focused complaints service that meets both the regulatory requirements set out in the Tenant involvement and Empowerment Standard and the Housing Ombudsman's Complaint Handling Code.
- 2.2 The policy is designed to meet the following aims:
- **Provide residents with an easily accessible, clear and efficient complaints process**
  - **Ensure residents are clear on how to make a complaint and their right to access the Housing Ombudsman Service**
  - **Ensure fair, impartial and consistent investigation of complaints**
  - **Ensure that responses are resident focused, personalised and take account of individual circumstances**
  - **Ensure a positive culture of learning from complaints to improve the resident experience**
  - **Comply with current regulatory obligations for complaints**
  - **Provide a framework to offer compensation, where appropriate**
  - **Create a framework for recording positive feedback about services**

## 3. Policy

- 3.1 This policy applies to complaints made by any applicant for housing, resident or former resident of CHA, or their representative, and anyone affected by a service CHA provides, including services provided by managing agents and other third-party contractors.



### 3. Policy (cont'd)

3.2 The policy does not apply to:

- **Current or former members of CHA staff in respect of issues related to them for where other feedback routes exist including grievance policy**
- **Managing Agents, contractors and other third parties providing services on behalf of CHA, any disputes or concerns in such cases should be resolved in line with the contract and associated contract management processes**
- **Employees or ex-employees of Managing Agents wishing to complain about their employer or CHA policies, this does not extend to whistleblowing and safeguarding for which the Safeguarding Policy should be followed**

3.3 This policy relates to all parts of CHA including services which may not actually deal directly with residents or third parties. The policy also applies to other organisations that provide services to residents under contract or in partnership with CHA.

### 4. Definitions

4.1 Concept Housing Association 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.”*

4.2 The resident does not have to use the word ‘complaint’ for it to be treated as such.

A complaint that is submitted via a third party or representative must still be handled in line with CHA’s complaints policy.

4.3 For the purposes of this policy a “resident” is intended to encompass applicants and former residents as well as neighbours and other residents impacted by CHA’s services but not residing in a CHA property.

4.4 Service Request – a service request is defined as *‘an initial request for access to a service CHA or its managing agents are responsible for delivering’*,

This includes:

- **Initial reporting of repairs**
- **Initial reporting of anti-social behaviour**

4.5 For example, an initial call to advise that a repair is needed, is considered a service request and would not be considered a complaint. In this instance if the repair was not completed within CHA’s published timescales or was not completed to the satisfaction of the resident it could then be considered as a complaint.



## 4. Definitions (cont'd)

4.6 Exclusions – CHA will accept all complaints that fall within its definition unless there is a valid reason not to do so. The circumstances where it will not accept a complaint are:

- **If the matter being raised is considered a ‘service request’ as set out above.**
- **Where the issue subject to the complaint occurred over six months ago with the exception of where the complaint relates to health and safety or safeguarding issues.**
- **Where legal proceedings have commenced. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, have been filed at court.**
- **Is the subject of an ongoing police investigation (unless CHA is requested to provide information to the police for the purposes of that investigation).**
- **Matters that have previously been considered under the complaints policy; however, where the problem is a reoccurring issue, CHA will consider older reports as part of the background to the complaint**

4.7 Where CHA does not accept a complaint, a detailed response will be provided to the complainant setting out the reasons why the matter is not suitable and providing details of the Housing Ombudsman Service.

## 5. Roles and Responsibilities

5.1 Concept Housing Association defines a complaint as:

- **To appoint a Complaint Lead to be the lead member for complaints and champion a positive culture of complaints from a board level ensuring openness and transparency and a learning culture.**
- **To scrutinise performance and hold the Executive accountable for performance and learning in respect of complaint handling**

5.2 Executive Management Team

Responsibility for the complaints service is owned by the Director of Resident Services and Partnerships, who is reportable to the CEO and Executive Team in relation to performance and the effective and efficient delivery of the complaints service.

The Executive Team are responsible for:

- **Creating a positive complaint culture and have responsibility for leading and having oversight of stage 2 reviews**
- **Cases being investigated by the Housing Ombudsman Service**
- **Reviewing learning and insight obtained from complaints investigations to inform priorities for service development and improvement**



## 5. Roles and Responsibilities (cont'd)

### 5.3 Resident and Community Engagement Team (Complaint handler)

The complaint handler will be the single point of accountability for complainants and accountable for:

- **Dealing with complaints on their merits**
- **Working collaboratively with other teams and managing agents to ensure timely investigation and response**
- **Acting independently and have an open mind remaining objective and free from judgement**
- **Taking measures to address any actual or perceived conflict of interest**
- **Considering all information and evidence carefully**
- **Maintaining complaint confidentiality as far as possible, with information only disclosed if necessary to properly investigate the matter**

### 5.4 All CHA Staff and Volunteers

All employees and volunteers are responsible for recognising and supporting early resolution of complaints by:

- **Resolving the issue immediately and recording the outcome under the early resolution process**
- **Logging the details of the complaint with the Resident and Community Engagement Team**
- **Provision of information in a timely fashion to support the investigation and response to complaints**

### 5.5 Managing Agents

CHA partners with a range of managing agents in the delivery of housing, support and property maintenance. All Managing Agents are responsible for actively seeking to listen and respond to feedback and complaints from residents and fully contribute to investigation and early resolution of complaints, including:

- **Dealing with service requests in a timely fashion**
- **Actively promote the complaints policy and the Housing Ombudsman from sign up and through the lifetime of the relationship with residents**
- **Facilitate early resolution of any issues that arise in their work with residents and record these where such early resolution has resulted in a complaint being avoided.**
- **Fully engage and support the RaCE team and other CHA staff in providing information requested in a timely fashion to enable effective investigation and resolution of complaints**
- **Comply with the findings, actions agreed and associated timescales agreed for the resolution of complaints**
- **Ensure their teams are trained and briefed on lessons from complaints**



## 6. Complaint Process

6.1 Early Resolution – CHA will actively promote its complaint policy and processes from initial application and at all stages throughout the life of the relationship. CHA actively encourages residents to raise any issues and concerns in the first instance with the managing agent providing services on its behalf as often they will be best placed to provide an immediate resolution to the issue.

6.2 Where this is the case and residents are happy with an immediate agreed resolution and do not want the matter raised as a complaint, the managing agent will be responsible for recording the details and resolution.

6.3 Where a resident does not wish to approach the managing agent first or prefers for the matter to be handled as a complaint it will be logged and treated as such.

### Accessing the Complaints Process

Complaints can be made:

- **By phone**
- **Online webform on CHA's website**
- **Email**
- **Letter**
- **In person**

6.4 Customers can raise a complaint by:

- **email to [complaints@concepthousing.co.uk](mailto:complaints@concepthousing.co.uk)**
- **Contacting any member of staff either in person or by telephone on 0121 455 733 (Midlands and Southern Region) or 01274 062734 (Northern Region).**
- **The website: [www.concepthousing.co.uk](http://www.concepthousing.co.uk)**

**Writing to: Concept Housing Association CIC, Trigate Business Centre, Hagley Road West, Oldbury, West Midlands B68 0NP (Midlands and Southern Region) or Units 9–12 Accent House, 132 Barkerend, Bradford, BD3 98D (Northern Region)**

6.5 Complainants may also raise a complaint via friend, family member, another agency, local councillor or MP. With the exception of local councillors or MPs written permission to disclose information to a third party will be required before information is shared in order to protect privacy and comply with data protection.

6.6 Complainants reporting via Google Reviews or social media will be contacted and taken to a more private and confidential communication channel of their choice in order to maintain confidentiality.



## 6. Complaint Process (cont'd)

6.7 Where complaints are made face to face or directly to the managing agent, they will immediately forward the complaint to the Resident and Community Engagement Team in order to oversee the complaint investigation.

All complaints made to the organisation will be acknowledged within 2 working days of being raised and should include:

- **The complaint stage**
- **Complaint reference number**
- **A named complaint handler as a single point of contact for the complaint**
- **A summary of the issues being raised**
- **Details of what remedy is being sought (where known)**
- **Details of the process and next steps including a target date for a response**
- **Any urgent actions which have or are being taken ahead of the complaint investigation being concluded, for example if the complaint highlights an emergency repair, steps should be taken to address this within the 24 hour target although a full response explaining how a service failure occurred may be followed up at a later time**
- **Details of the Housing Ombudsman Service and the right to refer the complaint to the service if they wish**

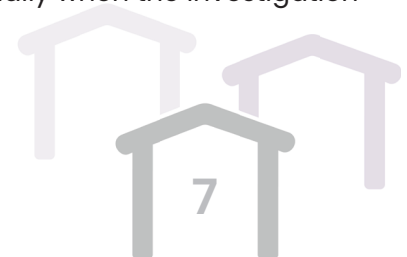
### 6.8 Stage One:

These complaints will be logged and allocated to a complaint handler. This can be an escalation from an issue reported by residents for an immediate resolution i.e., rebooking a missed repair appointment or any other form of service failure.

The complaint handler will take a person-centred approach, making direct contact with the complainant to understand the details of the complaint, impact that any service failure has had on them; and their preferred remedy. The lead handler will seek to manage expectations from the outset being clear where a preferred outcome is unreasonable or unrealistic and also ensuring they do not make promises that they are unable to deliver or causes unfairness for other residents.

6.9 Where new issues arise as part of the investigation that were not included in the original complaint, these should be added to the complaint and responded to as part of the stage one response. Where including these additional matters would result in delay in responding to the issues originally raised in the complaint, this should be explained and the additional issues should be logged as a new complaint.

6.10 The complaint handler will work with other teams/departments and managing agents in order to understand how something has gone wrong and work together to find the best method of rectifying it. CHA will acknowledge all complaints within two working days and the Complaints Officer will respond formally when the investigation is complete and within 10 working days.



## 6. Complaint Process (cont'd)

If there are any adverse findings in relation to the resident's actions during the investigation the resident will have the opportunity to comment on these before a final decision is made.

6.11 CHA want to make sure that it provides a thorough, quality response which means that on occasions it may need further time to fully investigate a complaint. Where this is the case, the lead handler will inform the customer where this is the case and keep them regularly updated. In any event, this extra time should not exceed an extra 10 working days and where this cannot be agreed with the resident, information should be provided on how the resident can escalate the matter with the Housing Ombudsman Service.

### 6.12 Stage Two:

Stage two complaints are an escalation from stage one where a resident has provided further information or is still dissatisfied with the initial response during the stage one investigation. If a resident wishes to escalate a complaint this would need to be put in writing within one month of the stage one response being issued or within 30 days of the target date for any outstanding actions to be resolved.

6.13 A request to escalate to stage two will only be refused where:

- **A stage one response is yet to be issued**
- **Where legal proceedings have commenced. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, have been filed at court.**
- **Where the issues being raised are new and were not included in the stage one complaint**

6.14 Where this is the case CHA will write a detailed response explaining why the complaint can not be considered at stage two and providing details of the Housing Ombudsman Service.

6.15 Stage two complaints will be led by an appropriate Senior Manager within the organisation. CHA will acknowledge all stage two complaints within two working days and respond formally once the investigation is complete and within 20 working days.

6.16 The purpose of stage two is to assess how the complaint has been investigated at stage one. It will also review any new information provided to assess the complaint and may ask for further information. The overall aim is to make sure the complaint has been handled correctly, and to confirm whether the original decision is upheld or whether there is potential to achieve a resolution with the customer.





## 6. Complaint Process (cont'd)

If there are any adverse findings in relation to the resident's actions during the investigation, the resident will have the opportunity to comment on these before a final decision is made.

As with stage one, if further time is required to investigate the complaint the resident will be kept informed, this extra time should not exceed 10 working days.

### 6.17 Complaint Responses

All responses to residents at the end of stage one and stage two of the process will detail:

- **The complaint stage**
- **The outcome of the complaint including an apology where appropriate**
- **The reasons for any decisions made, referencing the relevant policy, law and good practice where appropriate**
- **Ensure that each point raised in the complaint has been addressed**
- **The details of any remedy offered to put things right**
- **Details of any outstanding actions including appointment details or other target dates**
- **Details of how to escalate the matter if they remain dissatisfied including details of the Housing Ombudsman Service**

Housing Ombudsman

Residents can refer their complaint to the Housing Ombudsman Service at any time and information about the service will be provided at all stages of the process

Contact can be made with the Housing Ombudsman at:

**Housing Ombudsman Service**

**PO Box 152**

**Liverpool**

**L33 7WQ**

**Telephone: 0300 111 3000**

**Email [info@housingombudsman.org.uk](mailto:info@housingombudsman.org.uk)**

**Online: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)**



## 7. Equality, Diversity and Reasonable Adjustments

7.1 CHA is fully committed to equality, diversity and inclusion in service delivery and will demonstrate due regard for the provisions of the Equality Act 2010. The organisation is committed to ensuring no individual or group is treated less favourably than another individual or group.

CHA is committed to making reasonable adjustments to the policy to recognise, accommodate and support residents' individual needs, where needed.

Residents are able to make complaints with the assistance of others such as friend, family member, support worker or local counsellor/MP.

7.2 We can provide other reasonable adjustments to facilitate full participation in the complaints process including:

- **Multiple ways to raise a complaint.**
- **Provide responses in large print / alternative formats.**
- **Provide an easy read summary of the complaints process.**
- **Support with writing down details of the complaint.**
- **Ability to have someone present as support for any meetings in relation to the complaint.**
- **Take account of any disability in identifying any remedy**

## 8. Putting Things Right

8.1 When something has gone wrong CHA is committed to putting it right. CHA will acknowledge this and set out the actions it has taken or intends to take to put things right. Examples of where action to put things right may be required are:

- **There was an unreasonable delay**
- **Inaccurate or inadequate advice, explanation or information was provided to the resident**
- **Policy or procedure was not followed correctly without good reason**
- **A factual or legal error that impacted on the outcome for the resident**
- **Unprofessional behaviour by staff or contractors**

CHA will acknowledge and apologise for any failure identified, give an explanation and if practicable inform the resident of any action taken to stop the issue from happening again.



## 8. Putting Things Right (cont'd)

8.2 Complaints can be resolved in a number of ways. CHA offers remedies that aim to reflect the extent of the service failure and the level of detriment caused to the resident as a result. Types of remedy include (but are not limited to):

- **Acknowledging where things have gone wrong and apologising**
- **Providing an explanation and reasons why something went wrong**
- **Taking action if there has been a delay**
- **Reconsidering or changing a decision**
- **Amending a record**
- **Changing policies, procedures or practices**
- **Providing additional training or taking performance action against staff**
- **Taking action with managing agents via the Provider Performance Management Framework and contract management processes**
- **Reviewing or changing suppliers**
- **Compensation (see below)**

8.3 Compensation: CHA recognises that in some situations, an apology and a resolution may not always compensate for a situation or the impact of a lack of service a resident has received. For this policy, CHA defines compensation as:

*“To make amends for the loss, injury, service failure, breach of contract, inconvenience or offence. Compensation does not have to be of a financial nature, it can also be made by way of a gesture of goodwill or replacement”.*

8.4 CHA appreciates that at times things go wrong and it will always look at various remedies to try and resolve a complaint. It is committed to doing the right thing for residents and these remedies may include compensation.

Compensation calculations are based on what CHA considers to be fair in each case. It does not set limits regarding minimum and maximum amounts and judges each case on its own merits. It will, however, take into consideration regulatory guidance and case studies of similar awards.

CHA will consider the following factors in assessing appropriate and fair levels of compensation that reflect the inconvenience and loss (if any) the resident has incurred. These include but are not limited to:

- **What has gone wrong? How long did it go on? How severe was it?**
- **Has it been put right – what actions have been taken to remedy the situation?**
- **What would the resident like to happen?**
- **How has the resident been adversely affected?**
- **What are the resident’s particular circumstances or vulnerabilities?**
- **What is the cumulative impact on the resident?**



## 8. Putting Things Right (cont'd)

- Is there an actual, proven quantifiable financial loss – for example, has the resident incurred costs as a result of what happened? (although CHA will not offer compensation for loss of earnings)
- What other impact has there been? (for example, distress caused)
- Did the resident's actions or inactions, or those of a third party (for example a complainant's family member or advocate), contribute to what happened in the case?

8.5 CHA will have in place relevant and suitable insurance and will work closely with its insurers where in addition to a complaint, there have been any claims for personal injury or damage to belongings. This may include holding the investigation until any liability is assessed.

Any offer of compensation will be live for 28 days from the date of offer. To accept the compensation an acceptance slip is required to be returned from the resident to the Complaints Officer at which point the compensation payment will be processed within seven days.

CHA will pay compensation by two methods, via electronic bank transfer to an account of the resident's choice or if they hold a rent account an adjustment can be made to their account. If the resident has rent or service charge arrears any payment of compensation may be offset against their arrears.

## 9. Compliments

9.1 Compliments are a positive measure of resident satisfaction with staff and services. CHA welcomes feedback and compliments from residents and use this information to help shape the services delivered. residents can log a compliment by:

- Email to [info@concepthousing.co.uk](mailto:info@concepthousing.co.uk)
- Contacting any member of staff either in person or by telephone on 0121 455 733 (Midlands and Southern Region) or 01274 062734 (Northern Region).
- The website: [www.concepthousing.co.uk](http://www.concepthousing.co.uk)
- Writing to: Concept Housing Association CIC, Trigate Business Centre, Hagley Road West, Oldbury, West Midlands B68 0NP (Midlands and Southern Region) or Units 9-12 Accent House, 132 Barkerend, Bradford, BD3 98D (Northern Region)

The Complaints Officer will capture any compliments and report on them and share them across CHA.



## 10. Unreasonably Persistent Complainants

10.1 Unreasonable and persistent complainants are defined as *“those complainants who, because of the nature or frequency of their contacts with an organisation, hinder the organisation's consideration of their, or other peoples, complaints”*.

In a minority of cases some residents may decide to pursue their complaints in a way that is unreasonable. They may behave unacceptably or be unreasonably persistent in their contacts with CHA. This behaviour can impede an investigation and have a significant impact on resources. For those residents who behave in this way or their actions restrict staff from carrying out their work and providing services then CHA may manage this by restricting their access to staff, however it will always maintain at least one point of contact for them.

Where a disability may be a contributory factor to the behaviour this will be taken into account ahead of a decision being made.

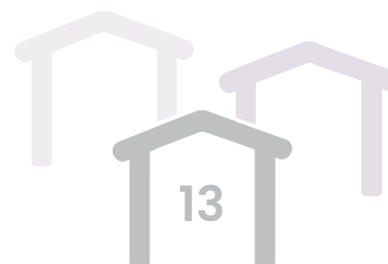
## 11. Performance Reporting and Learning

11.1 CHA will look beyond the circumstances of individual complaints and consider whether anything needs to be 'put right' in terms of its policy, procedures, or systems. Using the complaint process in this way enables CHA to learn from the issues that arise for customers and to take steps to improve the services it provides. The Complaints Officer will provide CHA with reports that detail:

- **Number and nature of complaints received and at what stage in the process**
- **Performance against each stage in the process**
- **% complaints upheld**
- **Timescales for resolution**
- **Goodwill gestures and compensation awarded**
- **% of unfinished actions completed within agreed timescales**
- **Resident satisfaction with complaint handling**
- **Referrals to the Housing Ombudsman**
- **The number of compliments received**
- **Lessons learnt from investigation of complaints and changes made as a result**

Any themes or trends will be reported to senior management to identify any systemic issues, serious risks or areas for improvement for appropriate action. Wider learning and improvements from complaints and compliments will be reported and shared with:

- **Board**
- **Resident Committee**
- **Managers and staff**
- **Residents in the Annual Report**



## 12. Communication, Training and Implementation

- 12.1 • The policy will be communicated to all staff as well as to all Managing Agents delivering services on behalf of CHA. Implementation plans include:
- An easy read version of the policy will be issued to all managing agents to display on every notice board and this will also be available on the website
  - Publish the latest self-assessment against the Housing Ombudsman Complaint Handling Code on the website
  - Updated information on the website
  - Template response letters and other tools to support effective complaint investigation and handling
  - Training for staff and managing agents
  - Training for Complaint Handlers
  - Briefing for stage 2 senior leaders on managing and resolving stage 2 complaints
  - We will provide training for involved residents who wish to support other residents in seeking resolution to service failure

## 13. Risks

13.1 The policy aims to reduce risk of:

- Systemic service failure by ensuring swift effective investigation into complaints and recording, reporting and acting on lessons learnt from the process
- Residents not knowing how or having the capacity to raise a complaint by encouraging multiple routes, publishing information in multiple formats and supporting other reasonable adjustments and support for residents to request someone else to raise a complaint on their behalf
- Reduction in satisfaction through responding effectively and seeking to remedy the situation to support rebuilding trust and confidence of residents

## 14. Related Legislation and Regulation

14.1 CHA is required to comply with the statutory requirements and rules and guidance issued by the Government and their departments. The responsible Director will ensure this policy has considered all legislation, regulation and best practice.

The Regulator of Social Housing (RSH) has responsibility for the regulation of social housing providers in England. The RSH has set out a regulatory framework which includes regulatory standards providers must meet



## 14. Related Legislation and Regulation (cont'd)

Whilst the following is not exhaustive the requirements laid out have been considered when formulating this policy and all staff will refer to the documents listed for further clarification or seek legal advice where necessary:

- **Landlord and Tenant Act 1985**
- **Housing Act 1985 & 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011)**
- **Housing Act 2004**
- **Building Safety Act 2022**
- **Equality Act 2010**
- **General Data Protection Regulation (GDPR) 2018**
- **Data Protection Act 2018**
- **RSH Tenant Involvement and Empowerment Standard**
- **The Housing Ombudsman's Complaint Handling Code 2022**

## 15. Data Protection Statement

15.1 CHA will ensure that any personal monitoring information collected about residents and employees is kept confidential and only shared with relevant bodies. It will be explained to any individual providing information exactly who the information will be shared with and for what purpose. Where CHA is required to share personal data beyond employees, for example where required to by law, it will do so in line with the CHA Data Protection Policy.

