

Resolving Complaints Policy

1. Purpose

- 1.1. Falcon Housing Association C.I.C (FHA) aims to provide a positive customer experience; however, we acknowledge that sometimes things go wrong, and tenants complain. When this happens, we aim to be as helpful as possible to those tenants and provide a process which is simple and easy to follow.
- 1.2. FHA take all complaints about our service seriously, because they make it clear to us where we need to improve. We work hard to resolve them quickly and fairly and use them as opportunities to learn and improve the service we deliver.
- 1.3. This policy governs how FHA resolves Expression of Dissatisfaction (EOD) and complaints received.

2. What is a complaint?

- 2.1. The Housing Ombudsman Service's definition of a complaint is "*an expression of dissatisfaction, however made, about the standard of service, actions or lack by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents,*"
- 2.2. Tenants do not have to use the word complaint for it to be treated as such and we recognise the difference between a service request (pre-complaint), survey feedback and a formal complaint and will take appropriate steps to resolve the issue for tenants as early as possible.
- 2.3. A complaint is about service failure. If there is no evidence of a service failure it will not be dealt with as a complaint.

3. Exclusions

- 3.1. Normally a complaint must be received by FHA within 6 months of the issue taking place or the tenant finding out they have a reason to complain but must be no longer than 6 months after the issue took place. This time limit is in line with the Housing Ombudsman Service guidance on complaints and the timescales they operate.
- 3.2. If legal proceedings have been started, including for example a letter before action, then consideration of a complaint will be suspended pending the outcome of the legal action. However, this will not preclude the Association from taking appropriate action, to remedy any deficiencies that may cause harm e.g., a case of damp or mould.
- 3.3. In exceptional circumstances, FHA may consider a complaint after this time limit has passed. If a customer feels that the time limit should not apply, they will need to tell us why so that a decision can be made. If FHA decide not to accept a complaint, FHA will provide a detailed explanation setting out the reason(s) why the matter is not suitable for our complaints process.

4. Who can make a complaint?

- 4.1. This policy applies to all customers of FHA.

4.2. FHA view customers as:

- Tenants living in our homes
- Their families, informal and formal carers and visitors
- Stakeholders
- Advocates
- Anybody using our service(s)

5. How can a customer make a complaint?

5.1. FHA encourage complainants to initially contact the member of staff dealing with the delivery of the service area, to allow them to resolve the matter quickly where possible.

5.2. Complainants can also make complaints in the following ways:

- Email: hello@falconha.org
- Email: with any member of the FHA team
- In person: with any member of staff
- By phone: with any member of staff
- By Letter: Office 3.30, 3rd Floor, 2 Lighthouse View, Spectrum Business Park, Seaham, Co Durham, SR7 7PR
- Via social media*

*Raising concerns or complaints via social media. If a customer raises a concern or complaint via FHA social media feeds, this will be acknowledged with a responding tweet or post, and request for further discussions to take place offline. The customer will be given the option to contact FHA by providing their contact details via a direct message on the social media platform being used, where a member of the FHA team will communicate directly.

5.3. A copy of this complaints policy can be found:

- In our office(s)
- Online www.falconha.org (summary of policy)
- Within new tenant sign up pack

5.4. If a tenant needs help to make a complaint, they can ask a family member, friend, carer or advocate to help. We will request confirmation that the complainant is comfortable with a 3rd party dealing with the complaint on their behalf at onset. This may be given verbally or in written format.

6. Expression of Dissatisfaction (EOD)

6.1. There is a difference between an initial request for a service (e.g. reporting a repair) and expressing dissatisfaction with the service received (e.g. complaining that a reported repair has not been carried out).

6.2. An initial request for a service is not a complaint. If a tenant reports something for the first time we will deal with it as a service request rather than a complaint, these are not logged formally or given a complaint reference number.

6.3. Firstly, we will ask tenants to discuss their concerns with a member of staff; it may be possible to sort things out quickly, if we cannot resolve the EOD within 5 working days,

we will progress it to a complaint and at this stage log within the complaints process, detailed below.

7. Complaint Process

- 7.1. By informing FHA what has gone wrong, we can help put things right; at FHA we aim for a first-time fix approach.
- 7.2. To deal with complaints efficiently we have a 3-stage process. We will deal with a complaint at Stage 1 initially and pass it through to Stage 2 and 3 if this is needed.
- 7.3. Complaints should be made within 6 months or as close as possible to the time the issue arose.
- 7.4. **Stage 1** - After making a complaint, your feedback will be passed to the relevant member of staff and/or manager to investigate and resolve. They will then contact you to discuss the problem / issues raised with you and ask you how you would like your problem / issue to be dealt with and resolved. Wherever possible, we will try to resolve your problem immediately. At the very least, we will aim to send you a full response within 10 working days. If an extension beyond 10 working days is required to enable a more detailed investigation, this will be communicated and agreed by both parties.
- 7.5. **Stage 2** - If you are unhappy with the response from Stage 1, you can then escalate your complaint to Stage 2 by contacting the Housing Manager to request that your complaint is reviewed. The Housing Manager will then look at how your problem / issue has been managed and decide whether there is more we could do. The Housing Manager will send you a full response within 10 working days of you asking for your complaint to be reviewed. If an extension beyond 10 working days is required to enable a more detailed investigation, this will be communicated and agreed by both parties.
- 7.6. **Stage 3** - If you are still dissatisfied following Stage 1 and Stage 2, you can ask us to arrange for a special appeals panel to review your case. The Panel will be heard by the Chief Executive and/or Director, you will be offered the opportunity to meet with the panel personally, so that you can explain why you are still unhappy. The Panel will be arranged within 15 working days of you notifying us that you wish to proceed to stage 3. A full response will be sent to you within 5 working days of the meeting. If an extension beyond 5 working days is required to enable a more detailed response, this will be communicated and agreed by both parties.
- 7.7. The appeals panel will provide our final response to the concerns that you have raised.
- 7.8. Where additional complaints are raised during the investigation, these will, where possible be incorporated into the Stage 1 response if they are relevant and the Stage 1 response has not been issued. Where the Stage 1 response has been issued, or it would be unreasonably delay the response, the additional complaint will be logged as a new complaint.

8. Communicating with our Customers

- 8.1 We will keep our customers / their advocates / personal representatives regularly updated and informed even where there is no new information to provide. At the completion of each stage of the complaints process we will write to the tenant / their

personal representative / advocate, advising them of the following details.

- The complaint stage reached
- The outcome of the complaint
- The reasons for any decisions made
- Details of any outstanding actions
- Details of how to escalate the matter if they remain dissatisfied

9. Independence and Confidentiality

- 9.1 All complaints, will be recorded on a central register, overseen, and monitored by the Compliance Analyst and Data Manager who reports directly to the Chief Executive.
- 9.2 Any complaint(s) relating directly to a member of the Leadership Team, will be referred to and investigated by a member of the Leadership Team not mentioned in the complaint, as nominated by the Chief Executive.
- 9.3 A tenant has the right to contact The Housing Ombudsman Service at any stage throughout the FHA complaint process, or if they wish to escalate their complaint further after completing the FHA process. A customer can wait eight weeks after completion and contact the Housing Ombudsman Service directly, or the case can be referred to the Housing Ombudsman.
- 9.4 Service by a designated person. A designated person is a Councillor, or MP. A designated person will help resolve the complaint in one of two ways:
- they can try and resolve the complaint themselves; or
 - they can refer the complaint straight to the Housing Ombudsman Service if the complaint remains unresolved (see Section 9 for contact information).
- 9.5 All complaints will be treated fairly and in the strictest confidence.

10. How will we learn from complaints?

- 10.1 A complaint is seen as an opportunity to learn about how we can improve our service at FHA. We therefore want to learn from every complaint, irrespective of the nature, and to capture and share the things that we learn so that improvements can be made where appropriate.
- 10.2 In order to do this, we will:
- Record and monitor every complaint including details such as what the complaint was about, how it was resolved, how quickly it was resolved.
 - Implement a lesson learnt action plan following the closure of a complaint, to ensure that changes in our services are embedded to avoid future complaints of a similar nature.
 - Our Leadership Team will carry out bi-monthly reviews of all complaints, to appraise and look at how / if we can improve our handling of complaints and the services we provide.
 - Our Board will receive a summary of complaints quarterly.
 - Survey tenants to measure their satisfaction with the way their complaint investigation was handled.

11. Staff Training and Development

- 11.1 All staff within the organisation will be briefed on the policy and its application to their work. Any training needs will be identified and addressed as part of embedding the policy into current housing practice and procedures.
- 11.2 FHA will continually strive to provide excellent customer services to our tenants, partners and wider customers. Lead Managers will undertake regular 1:2:1 reviews with their relevant teams to review performance and any training and development needs will be identified and implemented.

12. Housing Ombudsman Service

- 12.1. The Housing Ombudsman Service normally investigate a complaint after an organisation's internal complaints process is exhausted, however the Housing Ombudsman Service has the discretion to take on a complaint if there is reason to believe a registered provider is causing unnecessary delay in handling it.
- 12.2. The Housing Ombudsman Service is contactable via:
- www.housing-ombudsman.org.uk/
 - Tel: 0300 111 3000 (Monday, Thursday, Friday 9:15 to 17:15, Tuesday & Wednesday 9:15 to 13:15)
 - info@housing-ombudsman.org.uk
 - Housing Ombudsman Service PO Box, 152 Liverpool, L33 7WQ

13. Compensation

- 13.1. Once a complaint has been investigated it may be appropriate to offer service recovery and/or discretionary compensation.
- 13.2. In awarding compensation, FHA will consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to, as well as any distress and inconvenience caused.
- 13.3. In response to the complaint, we will write to the customer informing them why we are offering compensation and what form this will take.
- 13.4. Customers will be made aware that acceptance of compensation offered, and any other action agreed, is acceptance of resolution of the issue.

14. Unacceptable Behaviour / Unreasonable Complaints and/or Persistence

- 14.1. FHA believe that all tenants have a right to be heard, understood and respected, we also believe that staff have these same rights. FHA expect our tenants to be polite and well-mannered when contacting us. We do not tolerate aggressive or abusive (challenging) behaviour.
- 14.2. If tenants are unnecessarily aggressive or abusive, we reserve the right to refuse to deal with the complaint and will consider further action, where required, to protect our staff from unacceptable behaviour.
- 14.3. Where possible we will give the customer time to change their behaviour before implementing any contact restrictions.

- 14.4. A very small number of complaints may be unreasonable because of the way or frequency that complaints are raised with staff, or how complainants respond when they receive feedback about the complaint. These may include tenants who make frequent complaints which are not valid; who persistently make the same complaint; who request a complaint to be escalated when we have fully responded to all points; or are seeking an unreasonable or unrealistic outcome. In these circumstances we reserve the right to refuse to deal with the complaint.
- 14.5. Some complainants will not or cannot accept that FHA is unable to assist them further or provide a service or level of service other than that already provided. Some complainants may persist in disagreeing with the actions or decisions taken about their complaint or contact the office persistently about the same issue. In these circumstances we reserve the right to refuse to deal with complaints that are pursued unreasonably or in an aggressive or abusive manner.

15. Compliments

- 15.1. Compliments provide valuable positive customer feedback, enable FHA to develop services and raise staff moral and motivation. We share compliments across the Association to learn from best practice.

16. Recording

- 16.1. Administration with regards to the complaints will be handled by the designated staff lead. This includes ensuring all correspondence / information is stored within the complaint database file.
- 16.2. To minimise reoccurring complaints of the same nature, the staff lead will ensure that any lessons learnt are captured within the complaints database and shared within the Association as appropriate.
- 16.3. FHA will report annually to Board on all aspects of complaints handling performance.

17. Self-assessment and Compliance

- 17.1. FHA will carry out an annual self-assessment against the Housing Ombudsman Complaint Handling Code to ensure the handling of all complaints remains in line with all Housing Ombudsman requirements. In addition to the annual review, FHA will carry out a self-assessment following a significant restructure and/or change in procedures.

18. Policy Review

- 18.1. This policy will be reviewed periodically and every three years. It can also be updated at any time to incorporate suggested improvements, lessons learnt, best practice guidelines and changes to legislation.

Review Process			
Policy review frequency:		Responsible for review:	
This policy / procedure will be reviewed on a 3-yearly basis		This policy will be reviewed by: Housing Services Manager	
Version Control			
Version	Date approved	Next review date	Author / Title
V6	January 2023	January 2025	Sarah Taylor – HSM

