

# Complaints Policy

<b>Effective from</b>	31 December 2020
<b>Planned review date</b>	December 2023
<b>Version Number</b>	2.0

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## 1. Introduction

- 1.1 Southern Housing Group aims to provide a good quality service to all our residents. When we fail to meet these standards and commitments, we will;
  - apologise,
  - take action to put this right as quickly as possible,
  - use your feedback to change and improve the way we deliver our services.
- 1.2 The purpose of this policy is to ensure that there is a consistent and fair approach to responding to customer complaints which aims to resolve the issue at the earliest opportunity.
- 1.3 This policy has been developed in accordance with the Housing Ombudsman's Complaint Handling Code, our statutory and legal duties, and customer feedback.
- 1.4 This policy does not apply to tenants of properties managed by Triathlon Homes, Spruce Homes, or complaints which concern care and support services provided by Southern 360's Supporting Independence and Care Team as they have their own complaints policies.
- 1.5 Any reference to 'we', 'our', 'us' or 'the Group' refers to Southern Housing Group. When we use 'you' and 'your' we mean any resident or customer set out above.

## 2. What is a complaint?

- 2.1 We have adopted the Housing Ombudsman's definition of a complaint as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Group, our own staff, or those acting on our behalf, affecting an individual resident or a group of residents.
- 2.2 There are some issues which we will not deal with as a complaint because there is an alternative process. These include;
  - Issues where legal proceedings have started (this will include receipt of a letter before action or similar threat of legal proceedings). This will be passed to our solicitors at the point we become aware (either at the beginning or during the complaint).
  - Service charge enquiries. If you are contacting us about an increase or the amount that you are being charged for services, your case will be dealt with as an enquiry and responded to by an appropriate person within the Group. A complaint about the standard or lack of service is dealt with as a complaint.
  - Personal injury or third-party liability claims. These claims will be dealt with by our insurers.
  - Behaviour of our residents. We have a separate policy for how we manage complaints of Anti-Social Behaviour.

This list is not exhaustive.

### 2.3 Other issues that may not be dealt with as a complaint include;

- Matters that have already been considered under the complaints policy, and a response provided.
- Decisions which have been made in accordance with our statutory obligations, or in line with legislation or regulation, for example Succession or the Right to Rent. Issues relating to how we handled the matter will be dealt with as a complaint.
- If the complainant is subject to specific contact restrictions, including restricted access to our Complaints Policy, which have been introduced in line with our Unacceptable Behaviour policy, or if the complaint is being pursued in an unreasonable manner including frivolous and vexatious complaints.
- Complaints about an organisation which has not been appointed or contracted by us, for example an External Managing Agent. Depending on the type of issue raised we may be able to also contact the EMA on your behalf given our interest in the property. By External Managing Agent we mean a managing agent appointed not by us but by a third party, usually a freeholder where we hold a lease.
- Dissatisfaction with the content of our policies will not be dealt with as a complaint, but we will still provide you with a response to the issue and we will consider feedback when carrying out future policy reviews. Depending on the policy, you may also have a right of appeal (which will be detailed in the policy itself). However, if your complaint is about how we dealt with your request, for example we took too long to provide you with a decision, then this will be dealt with as a complaint.

This list is not exhaustive.

- 2.4 If we decide not to accept a complaint an explanation will be provided setting out the reason why the matter is not suitable for the complaints process. If you are unhappy with this decision you will have the right to take your complaint to the Housing Ombudsman.

## 3. Making a complaint

- 3.1 We will accept a complaint from a person who is in a landlord or tenant relationship with the Group, or an applicant for a property that we own or manage. If the complaint is being made by an ex-occupier, then they would need to have had a legal relationship with us at the time that the issue arose.
- 3.2 We will accept complaints from a representative of any of the above people, such as a relative or an advocate, who is authorised by the complainant to make a complaint on their behalf. However, this does not include a person that you have appointed in a legal capacity unless they have been appointed due to your incapacity or disability (for example, they have a Power of Attorney or have been appointed by an authority such as the Court of Protection to act on your behalf).

- 3.3 Complaints can be made in person, over the telephone, by email, by letter, or via our website. If you need any support or assistance in making a complaint then please let us know so that we can support you, or if you prefer, provide you with the details of other organisations that can help.
- 3.4 If you raise your complaint via social media, we will reply and ask you to message us directly with further details so that we can log your complaint. We will not comment beyond this to ensure that confidentiality and privacy is maintained.
- 3.5 Complaints should be made within a reasonable timeframe. We will not normally accept a complaint about a matter which occurred over 6 months ago, unless the complaint concerns a safeguarding or health and safety issue. If the problem is a recurring issue, we will consider any older reports as background to the complaint.
- 3.6 If at any point you are unhappy with how we are dealing with your complaint, then please let us know. You are also able to contact the Housing Ombudsman Service at any point throughout your complaint for advice. Their details can be found on our website and the last page of this document.

#### **4. Informal complaint - Service dissatisfaction**

- 4.1 When you first contact us to let us know you are unhappy, we may try to resolve the matter there and then, or, if we believe the issue can be resolved with just a few straightforward actions, we will propose that this is dealt with informally as a 'Service Dissatisfaction case'. We will agree this with you, and if you want to raise a formal complaint you can.
- 4.2 Examples of what could be considered a service dissatisfaction include, a missed appointment, a delay in providing a response or not carrying out a scheduled task, such as cleaning.
- 4.3 A Service Dissatisfaction case will normally be dealt with by the person who receives the report unless it falls well outside of their remit. We will ask you to explain why you are unhappy, the outcome you are seeking and how best to contact you. We will confirm with you what actions we will be taking and when you can expect to hear from us again.
- 4.4 Our aim is to resolve a Service Dissatisfaction within 10 working days. If this is not possible, we will contact you and give you the option of escalating the matter to a Stage 1 complaint.
- 4.5 If you are unhappy with the outcome of the actions taken, including any offer of compensation, then you can ask for the matter to be considered at Stage 1 of our complaints process.

## 5. Stage 1 complaint

- 5.1 Stage 1 complaints are dealt with by our Customer Relations Team. You will be contacted by one of the Customer Relations Advisors (CRA) within 1 working day of you reporting your concern to us, unless you speak to them at the time you make your complaint.
- 5.2 The CRA will contact you, by phone if possible, to acknowledge receipt of the complaint, to confirm our understanding of your complaint, and to find out what resolution you are seeking. Your complaint will be logged onto our case management system and you will be provided with a case reference number, and the contact details of the CRA who will be managing your case.
- 5.3 Our aim is to provide you with a response within 10 working days. If this is not possible, we will contact you and let you know why we are not able to do this and when we will provide the response. This will not exceed a further 10 working days.
- 5.4 We recognise that complaints can be resolved in a number of different ways and as part of our response to your complaint we will offer a remedy that reflects the extent of any service failure(s) and the level of detriment this may have caused, taking into account all of the circumstances. This may include; acknowledging where things have gone wrong, providing an explanation, apologising, taking action to correct the issue, offering compensation, and using the feedback to inform improvements or changes to our services.
- 5.5 If there are further actions that we need to take as part of the remedy to your complaint (an action plan) your complaint will remain open on our system until these have been completed. We will contact you if we run into any difficulties and we will revisit any offer of compensation already made at the point when all actions have been completed.

## 6. Escalating your complaint

- 6.1 If you are unhappy with the response provided you can either speak to us to discuss your concerns so that we can explore if there is anything further that can be done, or you can request for your complaint to be escalated to Stage 2.
- 6.2 When requesting for your complaint to be escalated we will require you to set out in writing the reasons why you are unhappy with our response and the outcome that you are seeking. We can provide help with this if it is required.
- 6.3 If you want to escalate your complaint you need to let us know within 20 working days. If you do not let us know within this timeframe then we will not normally re-open your complaint unless there are exceptional circumstances.
- 6.4 There may be occasions when it would not be appropriate to escalate the case to Stage 2, for example if the outcome being sought was not within our power or ability to deliver. In cases such as these we will write to you and explain why the complaint will not be escalated and what options are available to you.

## 7. Stage 2 Complaint

7.1 Our Stage 2 process comprises three options, which are; Compensation Review, Complaint Review Panel, or a Senior Manager Review. The outcome that you are seeking and the decision made at Stage 1 will help us assess the most appropriate route for your complaint to take.

### 7.2 Compensation Review

- 7.2.1 A Compensation Review will take place when dissatisfaction with our response concerns compensation, and an increase in the compensation is the only outcome being sought.
- 7.2.2 The Compensation Review will be undertaken by a manager that has not previously been involved in your complaint. They will contact you so that you can set out your position.
- 7.2.3 They will then consider this along with relevant information, including the Group's Compensation Policy, and notify you of the decision in writing within 10 working days. If that is not going to be possible, we will notify you and confirm when we will provide the response and this will not exceed a further 10 working days.
- 7.2.4 Along with detailing the reasons behind the decision we will also provide you with the details of what options are available to you should you remain dissatisfied with the outcome of the review.

### 7.3 Complaint Review Panel

- 7.3.1 If your stage 1 complaint concluded that there was no failure in the way we dealt with the issue, and we have not offered any form of remedy or redress (either not upheld, or only partially upheld), you are able to request for your complaint to be reviewed by a Complaint Review Panel.
- 7.3.2 The Complaint Review Panel comprises of a Senior Manager, normally a Head of Service or equivalent, and two residents from our Resident Steering Panel who will consider how the Group have dealt with the issue and the subsequent complaint.
- 7.3.3 Our aim is to provide you with a response within 20 working days of you having requested escalation of the complaint. If that is not possible, we will contact you and let you know why we are not able to do this and when we will provide the response. This will not exceed a further 10 working days, unless the delay has been caused due to difficulties in convening a panel.

- 7.3.4 You have the option of attending the meeting, but this is not compulsory. The meeting will normally be conducted using a digital meeting platform, such as Skype. However, a face to face meeting can be arranged if required and appropriate given the circumstances. You can bring a companion with you such as a friend or a family member but we will not allow a legal representative and we reserve the right to limit the number of people attending or to exclude an individual if we believe their attendance would prevent the panel from operating effectively.
- 7.3.5 Along with the panel members there will be a member of the Customer Relations Team who will present the case, an officer to take notes and, in certain cases, we may ask for another member of staff to be present who may have been involved in the case or has the relevant technical expertise.
- 7.3.6 The venue for a face to face meeting will normally be one of the Group's offices, hubs or a suitable building such as a sheltered scheme, which is closest to you.
- 7.3.7 Prior to the meeting we will provide you, and the other panel members, with a report that will provide a summary of; the background to the complaint, the actions taken and decisions made in response to the complaint, the areas of continuing dissatisfaction and the outcome you are seeking and the current situation. This will be sent 5 working days before the meeting is due to take place. If you would like to submit information for the panel to consider then this too should be provided at least 3 days before the meeting so that all parties have the chance to consider the information ahead of the meeting.
- 7.3.8 Following the panel meeting the Panel Chair, normally one of the residents from the Resident Steering Panel, will write to you to let you know the outcome. This letter will include their considerations and the reasons for their decision. It will also set out your right to refer the complaint to the Housing Ombudsman, or another relevant body such as the First Tier Tribunal should you remain unhappy with the outcome.

#### 7.4 Senior Manager Review

- 7.4.1 The Senior Manager Review can be requested for all cases unless the outcome being sought is solely an increase in compensation. The review involves a Senior Manager, normally a Head of Service or equivalent, who has not previously been involved in the complaint, reviewing the Group's handling of the issue and your subsequent complaint.
- 7.4.2 On receipt of your request to escalate your complaint, the advisor will contact you to find out if you would like to speak to the Manager who will be undertaking the review. The purpose of this call is to provide an opportunity for you to explain your position and for the reviewing Manager to ask you to clarify any points or answer any queries which will assist them in reaching a conclusion.

- 7.4.3 The Reviewing Manager will be provided with the complaint file and any other relevant information to assist them in their review, and you are able to provide them with any information that you have not yet provided to the Group.
- 7.4.4 Our aim is to provide you with a response within 20 working days of you having requested escalation of the complaint. If that is not possible, we will contact you and let you know why we are not able to do this and when we will provide the response. This will not exceed a further 10 working days.

## 8. What happens if you are still unhappy?

- 8.1 The outcome letter that is sent to you following the conclusion of Stage 2 will be the Groups final response to your complaint.
- 8.2 If you remain dissatisfied then you can contact your local Councillor or Member of Parliament, in their capacity as a Designated Person, and ask them to look at your case. They can then choose to contact us about it, or they may instead refer your case straight to the Housing Ombudsman Service.
- 8.3 Another alternative would be to wait 8 weeks from the date of the final response letter and then contact the Housing Ombudsman Service directly. Their contact details are:

Housing Ombudsman Service  
PO Box 152  
Liverpool  
L33 7WQ  
Phone: 0300 111 3000  
Email: [info@housingombudsman.org.uk](mailto:info@housingombudsman.org.uk)

- 8.4 If your complaint is about consumer credit activities, then you should refer your complaint to the Financial Ombudsman Service. We will provide you with a copy of their standard explanatory leaflet and we will comply with the Financial Conduct Authority's dispute rules in dealing with complaints. Information about the Financial Ombudsman Service and contact details can be found on their website [www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk).

## 9. Complaints from a group of residents or a petition

- 9.1 If we receive a complaint from a Residents or Tenants Association or a petition from a group of residents, then this would be dealt with in line with the process that we have set out above. We will require you to nominate a lead person who is the main point of contact and all our correspondence will be with them. If the complaint escalates to Stage 2 then we will allow one other petitioner/member to be involved in either the Complaint Review Panel or Senior Manager Review.

## 10. Continuous learning and improvement

- 10.1 We recognise the valuable feedback that a complaint can provide, and we have mechanisms in place to ensure that we capture this when we conclude a complaint.
- 10.2 We speak to customers to find out how we dealt with their complaint and pass their feedback onto managers across the business in order to improve the services we provide. We regularly review the number of customers we speak to in order to get fair and representative feedback.
- 10.3 We record and monitor all complaints that we receive, and this information is reviewed by relevant Committees, Managers and Staff across the Group and is used to identify areas where we can improve our services.
- 10.4 Organisational learning and changes to policy and services resulting from complaints will be captured and shared with our Board, Committees, Staff and Residents.
- 10.5 Our performance in respect of complaint handling is constantly reviewed and this information is provided to the Executive Management Team and our Board. Information concerning our performance is also available to our customers and this can be viewed in our Annual Report to Residents or on our website.

## 11. Equality and diversity

- 11.1 An Equality Impact Screening has been carried out as part of the development of this policy. The Group aspire to embed diversity and inclusion within all of our business activities to enable these principles to become part of our everyday processes.
- 11.2 We will make reasonable adjustments to our complaints process where necessary, ensuring that customers with a specific need are not at a disadvantage when accessing the service. Examples of the reasonable adjustments we may make include using a customer's communication preference for the duration of the complaint and providing information in alternative formats e.g. Braille, large print or on coloured paper. More information is available in our Reasonable Adjustments Policy.

## 12. Related Documents

- Compensation Policy
- Unacceptable Behaviour Policy
- Reasonable Adjustment Policy

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<b>Approval date</b>	14 December 2020
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