

Complaints Procedure

This procedure should be read in conjunction with Soha's Complaints Policy (SP07).

1. Introduction

- 1.1. Soha Housing actively welcomes complaints. Complaints enable us to identify areas of weakness and learn from them to continually improve our services.
- 1.2. Soha aims to deliver great services that our residents value and are happy with. We need to recognise when we do make mistakes, rectify these and make appropriate changes to our services to prevent future occurrences.
- 1.3. The definition of a complaint (from the Housing Ombudsman's and Local Government & Social Care Ombudsman Joint Complaints Handling Code) is '*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 or group of individuals*'. However, Soha will not treat any dissatisfied survey responses as complaints and will require individuals to proactively contact Soha to raise their complaint.

2. Aim

Soha is committed to fairness and equality for all in our complaints process. We aim to have a flexible and positive approach to complaints. We will use them to review, learn and drive service improvements across our organisation and improve outcomes for residents.

Where a service has failed, we aim to:

- Act quickly to identify the problem and put it right.
- Listen to individuals, treat them with respect and get the right outcome for them.
- Keep individuals informed throughout the complaints process.

Soha offers a range of ways for individuals to raise concerns and make and escalate a complaint. We will ensure that individuals are aware of independent representation and support when pursuing their complaint. This may include signposting to voluntary agencies and statutory bodies like the Housing Ombudsman Service.

We will ensure that no individual or group of individuals will be treated less favourably than any other on account of a protected characteristic. We will also ensure individuals have fair access to our complaints service which suits their individual needs, have the opportunity to request any reasonable adjustments and to use a preferred method of communication when managing their complaint. This may include for example, providing translations in alternative languages or additional support for residents who have difficulty reading and writing.

2.1. Complaints Leaflet

Soha has a complaints leaflet which summarises the complaints process and tells individuals what to expect from us when dealing with complaints. Individuals can access the leaflet via our website, request one from any member of staff or request for a copy to be sent in the post. If individuals require assistance in making a complaint, Soha staff can assist in this. In addition, complaints documentation can be made available on tape or translated into another language, upon request by individuals.

3. Complaint Handling Staff

Complaints Officer

The complaint process will be administered and managed by the Complaints Officer, who will act as first point of contact for all areas related to complaints. The Complaints Officer will offer assistance to Investigating Officers.

Complaints Manager

Responsible for ensuring we have robust systems in place for managing complaints and act as quality assurance on all processes and communications related to complaints.

Investigating Officer

Responsible for the investigation and communication with the complainants, including the final response issued to the complainant. The Investigating Officer is either a Team Manager, Service Manager or a member of the Senior Leadership Team.

Stage 2 Complaint Panel

The panel is responsible for reviewing stage 1 complaints assessing whether Soha's response at stage 1 was fair, comprehensive, proportionate and in line with Soha's policy and procedure as per stage 2 guidance. The panel is made up of 1 Board member or involved tenant and 1 Senior Leadership Team member unrelated to the initial complaint. A member of the Executive Team will be asked to make a final decision in the event of the panel not being able to reach an agreement.

Board member with lead responsibility for Complaints

Responsible for taking the lead for the Board in supporting and maintaining a positive complaint handling culture across Soha. In addition, the board member will scrutinise regular information on complaints handling performance and promote any learnings from the Housing Ombudsman at Board/Committee level. The Board member will be a member of the Complaints Working Group.

Complaints Working Group

The group is made up of Board members, involved tenants and staff members who adopt a lessons learnt approach and ensure learning from complaints drive satisfaction across Soha. The group also provides a reporting mechanism back to the Board, Members' Forum, and Senior Leadership Team.

Soha Staff

All staff are required to inform themselves of Soha's Complaints Policy and Procedure and can advise complainants of the process. All staff are able to inform individuals on how to make a complaint and progress any complaints on behalf of individuals.

4. Handling of Complaints

Soha's complaints procedure consists of a stage 1 and stage 2 process.

4.1 Stage 1 – Investigation and Response

Any expression of dissatisfaction will be regarded as a stage 1 complaint and acknowledged in writing within 5 working days of receipt.

Rapid Resolution

The complaint will be initially be managed by either the Complaints Officer, or relevant member of staff with the objective of achieving resolution within 3 days. They are responsible for the following:

- reviewing the circumstances giving rise to the complaint.
- agreeing with the resident how we will be remedying the issues raised.
- making decisions on any actions or compensation and escalate to manager when further authority is required.
- Speaking with the resident within 3 days to confirm whether the resident is happy with the resolution, and therefore the closure of their complaint.
- If they are happy the complaint has been addressed and can be closed, issue and provide a written response to the individual within three working days upon acknowledgement of the issue, which should include:

- complaint stage and definition of the complaint and outcome expected from the individual.
- confirm agreement of actions and closure of complaint.
- details of the issues that gave rise to the complaint
- decision on the complaint and reasons for decision
- an apology for any service failure, if appropriate
- details of any remedy offered to put things right
- details of any actions taken or actions to be taken, giving timelines where possible
- details on how individuals can escalate the complaint to Stage 2
- contact information for the Housing Ombudsman who individuals can contact for advice (however, advising that the Housing Ombudsman will not commence an investigation until the completion of our formal complaints process)
- ensure that all contacts and actions have been updated on QL and Documotive.

If Soha have been unable to resolve the problem to the satisfaction of the complainant, or agreeing resolution is likely to take more three working days, we will need to commence a full investigation as per the section below.

Full investigation

The investigation will be managed by the Investigating Officer who will be a Service/Team Manager or a member of the Senior Leadership Team, who is responsible for fully investigating the complaint and providing a remedy and outcome to the issues raised. A full response will be sent to the individual within 10 working days of the complaint received. If an extension to this timescale is required due to the complexity of the complaint, then we will inform the individual of the reason(s) and the revised response date (up to a maximum of 10 working days, 20 days in total). The Investigating Officer will be responsible for the following:

- reviewing and investigating the circumstances giving rise to the complaint.
- agreeing with the resident how we will be remedying the issues raised.
- make decisions on any actions or compensations and escalate to senior managers for authority if necessary.
- consideration being given to any vulnerabilities of the individual when reaching a response and for communicating with the individual.
- issue and provide a written response to the individual within 10 working days upon receipt of the complaint, which should include:
 - complaint stage and definition of the complaint
 - decision on the complaint and reasons for decision
 - An apology for any service failure, if appropriate
 - details of any remedy offered to put things right
 - detail any areas where we are not able to provide a remedy and why.
 - details of any actions taken or actions to be taken, giving timelines where possible
 - details on how individuals can escalate the complaint to stage 2 of the complaints process if dissatisfied with the response
 - contact information for the Housing Ombudsman who individuals can contact for advice (however, advising that the Housing Ombudsman will not commence an investigation until the completion of our formal complaints process)
- ensure that the response letter has been reviewed by the Complaint Manager before sending.
- ensure that all contacts and actions have been updated on the case notes within QL and Documotive.

Soha will make best endeavours to remedy the complaint at any stage of our complaint process and not wait for the final response to be issued. Individuals should not be required to escalate the complaint in order to get an appropriate remedy.

If the individual is not satisfied with the response they received, they can request for their complaint to be escalated to stage 2 within one month of the date of the stage 1 response. It is not necessary for the individual requesting a stage 2 review to explain their reasons, but Soha will attempt to understand and clarify our understanding of any outstanding issues and the outcome the individual is seeking. The individual will be advised that the stage 2 process is not a further investigation into the complaint but a review of the adequacy of the stage 1 response and to consider relevant information not previously considered.

5.2 Stage 2 - Review

Upon receipt of the request for a progression to stage 2, the Complaints Officer will acknowledge and record the complainant's request within 5 working days. Within the communication to the complainant the Complaints Officer will:

- clarify the reasons for requesting a progression to stage 2 (however; the complainant is not required to explain their reasons, but Soha will make reasonable efforts to understand why they remains dissatisfied).
- clarify the desired outcome the individual is seeking.
- confirm the date/timescales for the review and full response.
- ensure that the individual is aware of the remit of the review panel.
- Invite the individual to submit any additional relevant evidence for the panel to consider.
- give consideration to any vulnerabilities of the individual when preparing and arranging a review.

The Complaint Officer will collate and send a review pack to the panel and individual which will include:

- a timeline of all communications, documents (i.e. related policies and procedures including Complaints)
- case notes related to the complaint
- stage 1 response letter
- the individual will be invited to share with the panel any documents that they feel are relevant. If the information is not relevant to the complaint or raises new issues that are not related to the original complaint, this will not be considered with the individual informed why and advised next steps, such as raising a new complaint.
- The review pack will be sent no later than 5 working days before the review.

The stage 2 review meetings will be scheduled to take place regularly so that, decisions are issued within twenty working days following the date the complaint was escalated.

Soha can decide whether an extension to this timescale is needed when considering the complexity of the complaint, advising the individual of the expected timescale and reasons for extension. Soha are required to provide contact details of the Housing Ombudsman to the individual if an extension is given.

The review panel will comprise of 1 board member or involved tenant and 1 Senior Leadership Team member whose role is not related to the issues raised in the complaint. The individual will not be required to attend the panel. During the review panel sitting they may be required to review a number of stage 2 reviews if necessary.

The remit of the panel is to consider the following:

- Has Soha conducted the stage 1 complaint in line with our values, policies and procedures and within the statutory expectations of the Joint Complaint Handling Code?
- Has Soha come to the correct conclusion for the individual in line with our policies and procedures in a fair, reasonable and proportionate manner?
- Has Soha considered any vulnerabilities of the individual when conducting the stage 1 investigation and reaching a conclusion?
- Could Soha have done anything better within our policies and procedures and values available to us?

If the review panel are unable to come to a mutually agreed decision on the outcome of the review, a member of the Executive Team unrelated to the complaint area will be invited to decide the final outcome of the review. This decision will be final.

Within 20 working days of receiving the request from the individual for escalation to stage 2 (or up to 40 days if an extension is given), the individual will be sent a final response from the panel, which will include:

- complaint stage and definition of the complaint
- decision on the review and reasons for decision

- details of any remedy offered to put things right
- details of any actions taken or actions to be taken, giving timelines where possible
- details of any compensation awarded
- consideration given to any vulnerabilities of the individual when reaching a response and for communicating with the individual
- details on how individuals can escalate the matter to the Housing Ombudsman Service if they remain dissatisfied.

This is the final stage of Soha's formal complaints process. If the individual remains dissatisfied, they will be provided with details of how to escalate the complaint to the Housing Ombudsman.

5.3 The Housing Ombudsman Service

The Housing Ombudsman Scheme is a service which was set up to look at complaints about housing organisations and is free, independent, and impartial. The Ombudsman aims to resolve disputes involving tenants and leaseholders of social landlords (housing associations and local authorities).

Individuals can contact the Ombudsman **at any time** for support in helping to resolve a dispute but they are unable to commence an investigation until the completion of Soha's internal complaints process.

Their contact details are as follows:

- *Tel 0300 111 3000*
- *Email info@housing-ombudsman.org.uk*
- *www.housing-ombudsman.org.uk*
- *Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET*

5. Putting things right

Following a complaint investigation, stage 2 review or findings from the Housing Ombudsman, if Soha has found to have not acted correctly or failed to follow their own policies and procedures, we will set out the actions to put this right. We will acknowledge any failings with the individual and consider including the following:

- provide an apology for any failings.
- provide an acknowledgement where things have gone wrong.
- provide an explanation, assistance or reasons for failure.
- take actions if there has been a delay.
- reconsider actions or changing a decision.
- amend a record or adding a correction or addendum.
- provide a financial remedy.
- changing policies, procedures or practices.
- form a working group to address and implement any actions or improvements to working practices.

6. Exceptions

Soha will accept all complaints unless there is a valid reason not to do so. If we decide to not accept a complaint, we will provide evidence for our reasoning to the individual with details on how to challenge this decision with the Housing Ombudsman. Each complaint will be considered on its own merits.

All complaints submitted within 12 months of the issue occurring will be considered. Any issues outside of 12 months will not automatically be considered, however, discretion will be given on deciding whether to accept the complaint.

Soha will not exclude any complaints regarding safeguarding or health and safety issues.

Reasons for not accepting a complaint, can include:

- initial requests for service. This is when a request is received from an individual requiring action to be taken to put something right. Service requests will be recorded, monitored and reviewed regularly. A complaint may be raised when the individual raises dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing.
- reports of Unwelcome or Anti-Social Behaviour - There is a separate policy and procedure for this. However, if the individual is dissatisfied with the handling of an ASB case, this can be managed as a complaint.
- issues relating to a third party organisation or individual, who is not a tenant, staff member or contractor of Soha.
- issues occurring outside of 12 months (however, discretion will be applied in considering the complaint).
- issues already considered in our complaints proposal with a response given and the complaint process concluded.

7. Self Assessment, Reporting and Compliance

Soha will produce an annual complaints performance and service improvement report, which will include:

- the annual self-assessment against the Joint Complaint Handling Code to demonstrate our complaint handling policy remains in line with the code's requirements.
- a qualitative and quantitative analysis of Soha's complaint handling performance, including a summary of the types of complaints and any exceptions.
- any findings of non-compliance with the code.
- any service improvements made as a result of the learning from complaints.
- an annual report on Soha's performance from the Housing Ombudsman.
- any other relevant reports or publications produced by the Housing Ombudsman in relation to Soha's complaint performance.

The annual complaints performance and service improvement report and the Housing Ombudsman response to the report will be published annually on the Soha's website.

8. Complaints Working Group

This group comprises of board members, involved tenants and staff members involved in complaints. The group meet quarterly and adopt a lesson learnt approach with continuous learning from complaints outcomes. The group also provide a reporting mechanism for the Board, Members' Forum and Senior Leadership Team. The group's remit includes:

- to ensure that Soha are upholding policy and adhering to regulations.
- to show Soha's commitment to accounting for our actions and performance in an open and transparent manner.
- to address and acknowledge the importance of resident involvement; remembering that residents are at the centre of the service we provide.
- review results of the survey and assessing current complaint procedure processes.
- review complaints data – look for trends, lessons learned, process changes.
- Regularly review compliance with the Ombudsman's Complaints Handling Code to ensure full compliance is being maintained.
- take account of reports and reviews published by Ombudsman including the recommendations.
- discuss and agree what complaint information would be useful for Soha as a business and for residents.
- review Complaints and Compensation Policies (where necessary) and be a sounding board.

The group is chaired by the Complaints Manager and administered by the Complaints Officer.