

INFORMATION

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Lead Officer/Post	Extra Care Operations Manager

Version	Date	Changes
1	15.12.20	Reviewed and updated
2	16.07.24	Reviewed and updated to support with the changes to support the housing ombudsman self-assessment

Relevant National Standards or Regulation	<ul style="list-style-type: none"> • Tenancy Standard • Transparency Influence and Accountability Standard
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1. Policy Statement

Preferred Homes Limited (PHL) is committed to consistently provide an excellent service, treating residents fairly and recognising that sometimes things go wrong. We value all resident feedback regarding our services, whether a complaint, compliment, comment, or suggestion. We aim to put things right first time and take the opportunity to rebuild trust between PHL and our residents, learning from outcomes and are committed to improving our services. This policy is in line with the Housing Ombudsman Complaint Handling Code which aims to enable landlords to resolve complaints raised by their residents quickly and to identify and implement learning from complaints to drive service improvements.

PHL will embrace complaints through increased transparency, accessibility, and complaint handling governance, demonstrating that residents are core to its service delivery and good complaint handling is central to that.

PHL are committed to ensuring all complaints received are investigated swiftly and fairly. Every effort will be made to resolve the issue at the first point of contact.

2. Purpose

The purpose of this policy is to set out the Group's approach to dealing with customer feedback whether complaints, compliments or comments that are reported to Preferred Homes Limited.

3. Legislation and Regulatory requirements

The Housing Ombudsman Service (HOS) have outlined 3 guiding principles when dealing with complaints:

1. Be Fair
2. Put things right
3. Learn from outcomes

The Housing Act 1996 stipulates all social landlords have a duty to be a member of the Housing Ombudsman Scheme, which allows for the provision of an independent who can investigate complaints made to them when unhappy with the service they have received from their housing association.

4. Aims and Objectives

PHL aims to provide a good and reliable service to all its clients and to treat all feedback as a learning opportunity to improve services.

PHL is committed to responding promptly and courteously to all expressions of dissatisfaction and delivering a high standard of service to ensure that actions are carried out as quickly as possible and that communication is timely and accurate.

5. Definitions

5.1 We define 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.'

The word 'complaint' does not have to be used for it to be treated as such. A complaint that is submitted via a third party or representative will be handled in line with the complaints policy.

We do not define a complaint as:

- A request for service, or query to PHL. For example, where an appointment has not been kept, this would be a query, and our team would look to re-arrange the appointment to suit the customer.
- Issues raised more than six months after the relevant events (unless it is an on-going issue PHL is aware of)
- Housing benefit issues

- Reports of Anti-Social Behaviour (unless regarding an alleged breach of ASB policy or process)
- Complaints regarding serious allegations against staff which would be more appropriate to be investigated through the Group's disciplinary procedure. Such outcomes would not be shared with the complainant under GDPR.
- Allegations of Data Breaches or issues relating to Subject Access Requests are managed through GDPR and investigated by PHL's Data Protection Lead and reported where necessary to the ICO
- Cases where legal proceedings have started, or a final legal decision has been made

6. Policy

PHL positively welcomes feedback in the form of complaints from anyone who is affected by a service we provide, or decision taken by us including:

- Residents named on a PHL tenancy for any of our properties.
- Any third party adversely affected by our actions or decisions
- Any person acting on behalf of a resident with their consent for example a family member, neighbour, advice agency, member of parliament, councillor or the Housing Ombudsman.

A complaint may be also made in the form of a petition. The complaint will be dealt with following the normal complaints procedure, on the address of the first signatory only. The petition will be treated as one complaint and all correspondence will be addressed to the first signatory. If the complaint reaches stage two of our complaints process and a panel meeting is convened, the first signatory may attend the complaints panel with one other signatory. Details of the outcome of the complaint will be copied to each signatory on the petition once it has been resolved.

Our complaints process is comprised of three stages. Stage one will be an investigation carried out by a case manager. If the complaint is escalated to stage two, an independent review will be carried out by a manager or Director and the third stage is appeal.

If a complaint is complex, it may take a longer time to reply at any of the three stages. The manager carrying out the investigation will agree with the customer suitable intervals for keeping them informed about their complaint.

In order that complaints can be investigated effectively, all complaints should be submitted to PHL within twelve months of when the event occurred, or it became known to the complainant. PHL may exercise discretion in exceptional circumstances when considering whether to accept a complaint submitted outside of this timescale.

There are some things that we will not deal with through our complaint's procedure. These include:

- The first request for a service or where we have been given insufficient time to deliver that service according to our service standards
- A general request for information or a service

- An explanation of, or challenge to, a PHL policy or procedure; although we can look at how that policy or procedure has been applied
- Any matter that can be appealed to an outside body, so for example, the Housing Benefit Tribunal, the Planning Inspectorate and the Parking Adjudicators
- A challenge to a PHL decision, although we can look at how that decision was reached
- A complaint about another resident, as part of a neighbour dispute for example
- Where legal proceedings have started. This means that a Claim Form and Particulars of Claim have been filed at court. However, if a solicitor is acting as an advocate for a customer, this will be logged as a complaint, and it will be dealt with in the usual way
- Insurance claims
- All complaints will be considered on a case-by-case basis

Complaints about a service provided by an external provider will be considered dependent upon the contractual relationship of the external provider and PHL.

Any dissatisfaction raised concerning PHL policies, procedures or responsibilities will not be raised as a complaint but will be used as feedback to consider when the relevant policy, procedure or responsibility are due for review.

A complaint should be made as soon as possible after the resident or representative thinks that something has gone wrong, as this gives us the best chance to find out what happened. The more time passes, the harder it is to recollect the exact events; staff who were involved might have left PHL, and on occasions records might not be available.

For these reasons, PHL will normally only investigate a complaint about things that have happened within the last 12 months unless they were previously brought to its attention. Of course, there will be exceptions to this, such as when something might have prevented the customer from reporting the complaint earlier.

7. How we manage complaints

PHL operate a three-stage complaint process, including an opportunity for independent review.:

Stage 1 - Resolve

A complaint is recorded at Stage 1, should a formal written response be required. In addition, a customer can escalate their complaint should they not be completely happy with the outcome of a previous Informal Complaint. A full investigation will be conducted, and we will aim to provide a written response within 10 working days of the complaint being recorded. On occasion, it may not be possible to provide our response within this time and as such, we will write to the customer to advise of the delay. We will ensure our response is no later than an additional 10 working days.

Upon receipt of stage 1 complaint, we will:

- We will acknowledge your complaints within 5 working day of receipt of the complaint

- Make contact with the customer via the phone, or their chosen method of communication, to discuss the complaint and desired outcome.
 - Investigate in an impartial manner, seeking sufficient, reliable information from all parties, making appropriate recommendations to resolve the complaint, providing realistic timescales and to manage customers' expectations.
 - Contact you with the outcome of our investigation
 - In the event that we may have to complete an extension we will update you and the extension will be no longer than 10 days.
 - In the event of an extension, we will provide you details of the ombudsman.
 - Confirm in writing the outcome of your complaint within 10 working days, along with any proposed actions, any offers of remedy to put things right and details of how to escalate the matter to the next stage, should you not be happy with the outcome.
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- We will complete the outcome of our investigation in writing with the following:
 1. Details of the complaint stage
 2. The complaint definition
 3. The decision of the complaint
 4. The reasons for any decisions made
 5. the details of any remedy offered to put things right
 6. Details of any outstanding actions.
 7. Details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.

Stage 2 - Review

If a customer is not satisfied with the response from stage 1 of the complaint process, they can escalate to stage 2.

Upon receipt of a stage 2 complaint, we will:

- Assign your complaint to an appropriate senior member of staff who was not involved in the original complaint
- Complete a full investigation to the initial complaint and how the Stage 1 was addressed.
- Customers will be treated fairly, empathetically and by the relevant staff member that has authority and autonomy to resolve the dispute quickly.
- Investigate in an impartial manner, seeking sufficient, reliable information from all parties, making appropriate recommendations to resolve the complaint, providing realistic timescales and manage customers' expectations.
- Provide a formal response within 20 working days, which could be a letter or email, which will detail an outline of the complaint, the outcome which may include outstanding

actions, any offers of remedy to put things right and details of how to escalate the complaint to the Housing Ombudsman.

Stage 3 – Appeal

Stage 3 complaints will be reviewed by an Independent Appeal Group consisting of at least 2 Board members and who are not involved in the complaint. PHL will aim to review the case and respond to the customer within fourteen days.

The customer will be guided through the appeals process by an officer/named person determined by PHL who will assist the complainant with any concerns they may have.

Customers are invited to explain their reasons for requesting an appeal and the outcome they hope to achieve.

The panel is not required to consider cases where complaints have been made and it has been found through investigation the decision and responsive provided were within existing policy and procedural guidelines. The decision will be made by the Company Secretary. In this case the customer will still have recourse to the Independent Housing Ombudsman.

8. Complaints raised to a third party

PHL will work closely with any third party who have an agreement in place to complete housing management duties within a PHL property. We will ensure the following:

- We will have a management agreement in place to support the effectiveness management of services within our properties.
- We will have a clear process in place in relation to complaint handling; to support openness, honesty and transparency.
- We will advocate the Complaint Code of Practice and ensure that all aspects of the code are adhered to.

9. Complaint Investigation

PHL will contact the person making the complaint, either by telephone or a home visit in order to confirm the details of the complaint and the outcome desired. This provides an opportunity to clarify the complaints process with the customer, advise how the complaint will be investigated, and jointly agree any actions needed to resolve the complaint. If personal contact cannot be made an acknowledgment letter will be sent to the complainant providing a contact name and telephone number.

10. Anonymous Complaints

PHL will accept, record and investigate anonymous complaints in the same way as complaints from a named person. Outcomes of anonymous complaints will be recorded.

11. Persistent complaints

PHL welcome customer feedback and are committed to dealing with complaints fairly and impartially. PHL will not normally restrict the number of complainants. However, there may be occasions where action to limit contact is necessary when:

- The frequency of contacts made hinders the investigation of the complaint
- The complaint is contacting numerous employees throughout PHL about the same complaint
- Frequent complaints are being made about an issue that has already been investigated, responded to and closed.

Where it is agreed necessary to treat an individual as a persistent complainant, PHL will write to the individual and refer them to the Ombudsman.

12. Misconduct of Employees

Where a complaint is received alleging employee misconduct, the complaint will be recorded and referred to the Company Secretary for investigation. Appropriate action will be taken in line the Code of Conduct Policy. The complainant can expect to receive a response in line with standard complaint process timescale.

13. Vexatious or Malicious Complaints

Vexatious complaints are perceived to be unreasonable, deliberately repetitive or malicious. Where it is upheld that the complaint it is considered by Chief Executive Officer to be vexatious no further investigation or response will be made. Legal advice may be sought in serious cases. Where a vexatious or malicious complaint involves a member of staff, the Chief Executive Officer will be informed. The receipt of the complaint and its rejection will be recorded as part of the complaints recording process.

14. Unacceptable Behaviour from Complainants

PHL does not expect its employees to be subject to any kind of abusive, offensive or threatening behaviour. Incidents of unacceptable behaviour will be reported to a PHL Executive.

15. Repair Notices and Disrepair Claims

Complaints received as a result of disrepair claims or local authority repair notices will be registered as complaints but responded to and dealt with in accordance with the Repairs and Maintenance Policy.

16. Compensation

Where the customer requests compensation or the complaint is sufficiently justified to merit an offer of compensation this will be managed as part of the complaint processing and offered. Advice should be taken from the finance team for insurance where relevant.

12.1 General Conditions

- Customers are encouraged to take up household contents insurance when they move into a PHL property. The compensation policy does not replace contents insurance.

- If a resident is in arrears any compensation payment will be offset.

12.1.2 Right to Repair

- Customers have statutory right to claim compensation where certain urgent repairs are not completed on time.
- Compensation will be payable if a qualifying repair is not carried out satisfactorily within the relevant target completion time and after tenant has reported it to PHL twice.
- Compensation will be payable at a rate of £10 plus £2 for every day the repair remains outstanding (up to a maximum of £80)
- No compensation payment will be made if the tenant has failed to allow access to the contractor or the repair has not been completed because of matters outside our control (e.g. Extreme weather conditions)

12.1.3 Home Loss Payment

- If it becomes necessary to permanently move a tenant to an alternative property, they may be eligible for a Home Loss Payment. To qualify for this payment the tenant must have lived in their home for at least a year
- The amount of Home Loss Payment paid will be in line with the statutory amounts applicable at the time of the claim
- If a tenant does not qualify for a statutory Home Loss Payment, then a discretionary home loss Payment may be offered
- The tenant may be entitled to a disturbance payment

12.1.4 Disturbance Payments

- If it becomes necessary to move a tenant to an alternative property permanently or temporarily, all reasonable expenses will be reimbursed. These may include removal expenses (including storage costs), disconnection and reconnection of services (e.g. telephones, washing machines etc), adapting curtains and carpets (or a sum towards the provision of new ones where it is not possible to adapt)

12.1.5 Compensation for Disturbance to Decorations

- Where PHL planned works to a property to rectify damage to decorations timing will be agreed in advance. Redecorations are included in the overall works contract but where the scale or type of redecorations does not meet the tenants needs compensation can be offered in line with damage caused by the reactive works
- Where disturbance to decorations is the result of reactive maintenance work or is unforeseen in a planned maintenance programme the level of compensation offered would be assessed on an individual basis dependant on the scale of the damage. The compensation could take one of the following forms
- Rectification of the damage by PHL

- Isolation of the damaged area for minimal redecoration (such as window reveals in a window replacement programme)

12.1.6 Compensation for Failure of Service

If PHL fails to deliver a service specified in the tenancy agreement, the value of the service not delivered will be calculated and offered by way of compensation.

12.1.7 Compensation Payments through the Complaints Procedure

From time to time, it may be necessary to offer compensation payments in settlement of formal complaints. The amount of compensation offered will be calculated on an individual basis depending on the nature of the complaint.

12.1.8 Authorisation and Monitoring of Compensation Payments

- Compensation payments are authorised by the Chief Executive Officer.
- All compensation payments are reported quarterly to the Board.

12. Self-Assessment Reporting and Compliance

As part of our commitment to the Housing Ombudsman we will complete an annual self-assessment report. (Appendix 1)

13. Equality Diversity and Inclusion

PHL operates an Equality & Diversity policy, and this applies to all aspects of its services. We will ensure that no customer, resident or service user is treated less favourably on the grounds of age, ethnicity, religion or belief, disability, gender, gender reassignment, sexual orientation, pregnancy or maternity, marriage or civil partnership status.

This policy, and all related information, can be made available in different formats and languages on request. This policy complies with the requirements of the Equality Act 2010 and has been Equality Impact Assessed

14. Data Protection, Storage and Retention

Confidentiality and data protection apply to the complaints process; PHL will not share personal, or property information gathered as part of the complaint investigation with any third party who is not entitled to receive it, in line with data protection legislation.

15. Customer Involvement

PHL recognise the importance of working in partnership with customers to develop and improve services and raise standards.

To demonstrate this commitment this policy:

- Will be reviewed in consultation with customers
- Involves customers in the monitoring and testing of service delivery standards laid out in this policy and relevant procedures
- Publishes information in relation to performance against the aims and standards set in this policy
- Will be developed and reviewed considering customer feedback

16. Risk Management

There are reputational risks to the business in relation to managing complaints effectively. This policy will operate alongside our Governance, Risk & Assurance Policies in providing a consistent approach to addressing those risks.

Complaint's data is reviewed and analysed on a regular basis and actions are taken to address any issues arising. PHL is also committed to learning from our complaints process, and we will ensure that appropriate processes are in place in order to do this.

17. How to Contact Us

You can contact us in writing, via email, via our website and by telephone. Our contact details are as follows:

Preferred Homes Limited

2nd Floor

7-8 Market Place

London

W1W 8AG

Email info@preferredhomes.co.uk

18. Ombudsman Complaint

Customers can contact the Housing Ombudsman at any stage of their complaint to receive impartial advice.

Please be aware that you have up to 12 months from the date you receive our final response to refer your complaint to the Ombudsman in writing, although it is preferable that you do so as soon as possible if you wish to pursue your complaint further.

The Housing Ombudsman
Housing Ombudsman Services

PO Box 152

Liverpool L33 7WQ

Tel: 0300 111 3000

Email: info@housing-ombudsman.org.uk.

Web: www.housing-ombudsman.org.uk

19. Review and updates to this policy

PHL will review and update this policy in accordance with its legal obligations and may amend, update or supplement it from time to time and at least every 3 years or earlier, if required by changes in legislation or technology underlying its document management system

20. Appendices

Appendix 1 Self-Assessment Tool