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 housing Ombudsman Complaint Handling Code.
3	03.04.25	Reviewed and updated to support with the completion of the self-assessment and the Annual Service Improvement Report and Housing Ombudsman Complaint Handling Code

Relevant National Standards or Regulation	Housing Ombudsman Complaint Handling Code Consumer Standards: • Tenancy Involvement and Empowerment Standard • Transparency Influence and Accountability Standard

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 will publicise this policy on its website and include information about the Housing Ombudsman and the complaints handling code.

PHL is 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 PHLs approach to dealing with customer feedback whether complaints, compliments or comments that are reported to PHL. This policy will outline how PHL receives, reacts and responds to complaints from customers in a clear, timely, fair and accessible way.

3. Legislation and Regulatory requirements

The Social Housing (Regulation) Act 2023 empowered the Housing Ombudsman to issue a code of practice. PHL supports and complies with this code of practice.

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.

Through this policy PHL intends to:

- Encourage and welcome feedback, both positive and negative through a publicised and easily accessible 2 tier procedure
- Prevent the need for repeat complaints
- Record monitor and analyse feedback to support with service performance
- Have a range of options to put things right when there has been a service failure
- Comply with the ombudsman complaint handling code (April 2024)
- Provide a full and fair resolution within published timescales

5. Definitions

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.

Survey feedback (an expression of dissatisfaction with services made through a survey) is not defined as a complaint, though, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to.

Our complaints process is comprised of two stages. Stage one will be an investigation carried out by complaints officer and written response will be issued with timescales. If the complaint is escalated to stage two, an independent review will be carried out by a manager or Director.

If a complaint is complex, it may take a longer time to reply at any of the two 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

Customers can raise a complaint through a range of formats including email, phone, letter, face to face, website or social media. PHL will manage the reasonable expectations of its customers and will operate a two-stage process as detailed below.

7.1 Complaint Investigation:

A complaint investigation will be completed by the complaints officer, seeking reliable information to ensure that recommendations can be made. We will ensure the following as part of the investigation process:

- Act independently and with an open mind
- Deal with each case on its merits
- Consider all information and evidence carefully
- Take measures to address any actual or perceived conflict of interest
- Give the complainant a fair chance to set out their position

7.2 Complaint Process:

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

Stage 1

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 days of receipt of the complaint
- We will give you the opportunity to have a representative to deal with your complaint on your behalf and to be represented or accompanied at any meeting with us.
- Contact 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
- If we must 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.
- 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

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 2 is the final response from PHL and if the complainant remains unsatisfied with the outcome, PHL will advise the complainant that they should contact the Housing Ombudsman.

8. Responding to Complaints

We will respond to all Stage 1 and Stage 2 complaints in writing by email or letter and will at each stage:

- Identify the complaint stage
- Include the complaint definition
- State the outcome of the complaint
- Outline the reasons for the complaint
- Identify any outstanding actions and the keep the complainant updated at every stage
- Include contact details of the Housing Ombudsman
- Outline the reasons for any decisions made

9. Putting things Right

PHL acknowledges that things can go wrong, and we support transparency throughout and set out actions that has been taken, actions we intend to take to put things right.

These can include:

- Apologising
- Acknowledgement when things have gone wrong
- Support with effective communication and provide an explanation, assistance or reasons
- Act if there has been a delay
- Provide a financial remedy
- Change policies, practices or procedures

Any remedy offered must reflect the impact on the customer as a result of any fault identified. PHL will consider if service improvements can be made as a result of any learning from the complaints and at all times take guidance from the ombudsman. The remedy offer will clearly set out what will happen and by when in agreement with the customer where appropriate.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. Exclusions

There may be occasions when a complaint will not be dealt with in line with this policy they include:

- Anti-social behaviour (ASB) or nuisance managed within the anti-social behaviour policy unless the complaint is in relation to staff conduct or how PHL managed the ASB case.
- Nominations for properties which fall within the responsibility of the Statutory Housing Authority.
- Legal Proceedings have commenced – this is defined as details of the claim, such as the claim form and particulars of the claim having been filled out.
- Matters that have previously been considered under the complaints policy.
- PHL will not investigate complaints that are over 12 months old. PHL will consider whether to apply discretion to accept complaints outside of this time where there is good reason to.

If we do not accept a complaint, a detailed explanation will be provided to the complainant setting out the reasons why the matter is not suitable for the complaints process. At no time will we take a blanket approach to exclude complaints and we will consider individual circumstances of each case.

17. Repair Notices and Disrepair Claims

Complaints received because 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.

18. 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.

18.1 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.

18.1.2 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)

18.1.3 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

18.1.4 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)

18.1.5 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)

18.1.6 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.

18.1.7 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.

18.1.8 Authorisation and Monitoring of Compensation Payments

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

19. Self-Assessment Reporting and Compliance

As part of our commitment to the Housing Ombudsman we will complete an Annual Complaints Performance Report for scrutiny and challenge.

PHL support a positive complaining culture and accountability, and transparency are integral in this process. We will report back on wider learning and improvements from complaints to our stakeholders, board members and staff.

We will report regularly to our 'Member responsible for complaints (MRC) to provide insight on our complaint handling performance and provide access to all suitable information. The report content will include:

- Annual Complaints Performance and Service Improvement Report
- Regular updates on volume, categories and outcomes of complaints alongside complaint handling performance
- Regular reviews of issues and trends arising from complaint handling
- Regular updates on outcomes of any ombudsman investigations and progress made in complying with orders related to maladministration findings

20. 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.

We will make reasonable adjustments when needed ensuring compliance with the Equality Act 2010.

21. 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.

22. 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

23. 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.

24. 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

25. 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

26. Monitoring

To support with full compliance of the Housing Ombudsman Complaints Handling Code, the effectiveness of this policy will be measured through performance indicators and reported to the Board.

Performance will be reported on a quarterly basis to PHL Board members, and an annual complaints performance and service improvement report will be published on our website, alongside our board members response to the report.

27. 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 2 years or earlier, if required by changes in legislation or technology underlying its document management system

28. Appendices

Appendix 1 Self-Assessment Tool

Preferred Homes