



Supporting BME Communities
and Multi-Cultural Neighbourhoods

Type Of Document	Policy Statement
Document Group	Customer Services
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Complaints Policy

1. Purpose & Scope

1.1 We aim to deliver the best possible service but sometimes we get it wrong. This policy statement sets out how we will respond if a tenant or customer complains to us.

1.2 This policy provides guidance on:

- The definition of a complaint
- Our service standards
- Who this policy applies to
- How we will use complaints to improve our services

1.3 We will establish and maintain a complaint handling process to ensure the practical implementation of this policy.

2. Policy objectives

2.1 Our aim is to identify when we have got something wrong and offer and deliver a suitable remedy. We will recognise the impact that the issue has had and identify appropriate solutions.

2.2 In delivering a complaints service we will:

- Take all expressions of dissatisfaction seriously
- Initiate an appropriate response to the issue
- Offer a suitable remedy
- Deliver our promises
- Learn from complaints

2.2 We aim to correctly recognise the difference between a service request where a tenant or customer may be unhappy with a situation and a complaint about a service.

3. Our approach to complaints

3.1 Definition of a complaint

A complaint is defined 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.*

A tenant or customer does not have to use the word 'complaint' to express their dissatisfaction and have their dissatisfaction dealt with via the complaint process.

A service request is a request to Unity requiring action to put things right, service requests are not complaints but must be recorded monitored and reviewed regularly.

We will accept complaints from anyone who receives, requests or is directly affected by our services. This includes accepting complaints from the representative of someone who is dissatisfied with our service (for example, a relative, friend, advocate or adviser).

3.2 Exclusions

We will accept all complaints unless there is a valid reason not to do so. A matter will not be considered as a complaint if:

- **The issue occurred more than 12 months ago** – unless the complaint concerns health and safety or safeguarding matters
- **Legal proceedings have started** – by either Unity or the complainant
- **Previous complaints** – the matter has been previously considered under the complaints policy
- **Insurance claims** – issues that would be covered by insurance claims
- **Third parties** – complaints about persons or bodies over which Unity has no control, including where Unity delivers services on behalf of another organisation.
- **Unreasonable complainant behaviour** – if a complainant behaves unreasonably or we consider a complainant to be unreasonable due to the manner in which they make a complaint, or the complaint is without substance.

The grounds listed below state the reasons for unreasonable complaint behaviour and are the same grounds for not escalating a complaint to stage 2 of our complaint process these may be categorised as:

- *Refusing to specify the details of a complaint, despite offers of assistance*
- *Pursuing a complaint where Unity's complaint policy has been fully exhausted.*
- *Where Unity have correctly followed its policies and procedures.*
- *Persistently changing the substance of a complaint or continually raising new issues or seeking to prolong contact by raising further concerns.*
- *Denying or changing statements made at an earlier stage.*
- *Making unjustified complaints about staff who are trying to deal with an issue and requesting to have them replaced.*
- *All parties should be informed if recordings are being made and consent should be sought prior to sharing recordings*
- *Submitting falsified documents from themselves or others.*
- *Refusing to accept a decision; repeatedly arguing points with no new evidence.*
- *Persistently seeking an outcome which Unity has already explained is unrealistic for policy, legal or other valid reasons.*
- *Making an unreasonable number of contacts with Unity, by any means, in relation to a specific complaint or complaints*
- *Harassing or verbally abusing or otherwise seeking to intimidate staff dealing with the complaint.*

- Deliberately attempting to bypass the complaints policy by corresponding with senior members of staff directly.

In these instances Unity reserves the right to refuse to deal with complaints or to deal with them in a different manner, where serious issues are raised, we will always investigate and take appropriate action.

If we do not accept a complaint, we will explain to the complainant the reasons and the right to take that decision to the Ombudsman.

3.3 Accessibility and awareness

We will widely promote and publicise our complaints service and ensure that it is accessible to all tenants and customers through a variety of channels including digitally.

We will comply with the requirements of the Equality Act and will make information about our policy and the complaints service available in clear and accessible formats including the use of translated materials. We will make reasonable adjustments to ensure tenants and customers can access the service including accepting complaints from advocates or third parties on behalf of a tenant or customer.

We will also ensure that we publicise information about the Ombudsman's Complaints Handling Code and contact information for the Ombudsman.

We will assist any complainant to compile a complaint if this is requested or they have any known vulnerabilities

Complainants may ask another person to act on their behalf in bringing their complaint to Unity. The advocate may be a friend, relative or representative from an external organisation such as the Citizens Advice Bureau. The advocate may not be a solicitor or legal professional unless they are acting in a "lay" capacity i.e., not representing the complainant in a legal capacity. The advocate must be nominated to Unity in advance of the meeting.

The advocate may not be a tenant or former tenant who is either currently in breach of their tenancy agreement, been evicted or had been informed they have previously had their access to the Complaints Policy restricted.

Annual training is provided to Unity staff to share best practice and updates to the complaint handling code.

3.4 Resourcing our complaints handling service

We have a designated complaints officer who will lead on our complaints service. This officer will have the skills needed to support the managers responding to complaints and when required step in to ensure complaints are resolved quickly and fairly.

3.5 Complaints stages

Complaints will be dealt with through a two-stage process.

Stage 1

When we receive a complaint, it will be logged and acknowledged within 5 days. The complaint will be investigated by a manager from the relevant service area and a response provided within 10 working days of the complaint being logged.

If an extension to this timescale is needed due to the complexity of the complaint we will inform the resident of the expected timescale for response, this will be no more than 10 working days and the reason (s) will be explained to the resident.

When we deal with a complaint at Stage 1, the complaint handler will:

- Establish the detail of the complaint in line with our definition of a complaint and set out in our response the outcome the complainant is seeking
- Investigate impartially with an open mind
- Consider information and evidence carefully
- Provide a full response that includes the decision, reason for the decision and details of any remedy offered
- Details of how to escalate the matter
- Respond to the complaint when the answer to the complaint is known not when the outstanding actions are completed
 - Provide contact details of the Housing Ombudsman in our response
 - Take measures to address any actual or perceived conflict of interest.
 - If we receive additional information from the complainant during the stage 1 complaint investigation these will be incorporated into the stage 1 response, if they are related and the response has not been issued.
 - Where the response has been issued or the issues are un related to the current investigation or would unreasonably delay the response they will be logged as a new complaint.

Stage 2

If a complaint cannot be resolved at Stage 1 the tenant or customer can request that the matter is escalated to Stage 2. The request to escalate must be made within 10 working days of receiving the Stage 1 response.

The complainant does not need a reason to escalate the complaint.

The request will be acknowledged within 5 days and the complaint reviewed by a director and a response provided within 20 working days of the complaint being escalated.

If an extension to this timescale is needed due to the complexity of the complaint we will inform the resident of the expected timescale for response, this will be no more than 10 working days and the reason (s) will be explained to the resident.

When we deal with a complaint at Stage 2, the complaint handler will:

- Establish the detail of the complaint in line with our definition of a complaint and set out in our response the outcome the complainant is seeking
- Review the handling of the complaint at Stage 1
- Determine whether the complaint or part of it should be upheld and details of any outstanding actions and remedies offered
- Confirm that this is the final stage and how to escalate to the Ombudsman
- Respond to the complaint when the answer to the complaint is known not when the outstanding actions are completed
 - Take measures to address any actual or perceived conflict of interest

Unity will not unreasonably refuse to escalate a complaint through the complaints process. However, we may decline to escalate a complaint and if we do this we will provide the complainant with clear reasons.

Where it is considered appropriate, Unity may engage the services of a third party to investigate a complaint. Unity may also employ alternative dispute resolution arrangements such as mediation where this would assist in resolving a complaint.

3.6. Putting things right

When something has gone wrong, we will acknowledge this and set out the actions we will take to put things right. Any remedy that we offer will reflect the extent of any service failures and the level of detriment caused to the tenant or customer.

When we propose a remedy, we will seek to agree this with the complainant. We will set out what will happen and by when and ensure this is followed through to completion. In awarding compensation, we will have regard to our Compensation Policy.

3.7 Continuous learning and improvement

When we look at the circumstances of a complaint, we will consider whether anything needs to be put right in terms of our processes or systems for the benefit of all tenants and customers.

We will report back to tenants and customers on the wider learning and improvements that flow from complaints.

We will consider reviewing and updating our complaint handling code self-assessment following an ombudsman investigation.

We will have a standard objective in relation to complaint handling for all relevant employees of third parties that reflects the need to: have a collaborative approach to resolving complaints, working with colleagues across teams and departments and take collective responsibility for any shortfalls identified through complaints, rather than blaming others and act within the professional standards for engaging with complaints as set out by any relevant professional body

4. Monitoring and performance

4.1 Monitoring of the implementation of this policy will be the responsibility of the Senior Management Team and the Operations Committee. Board and Committee members will receive regular updates on complaints that provides insight into Unity's complaints handling performance.

4.2 We will track volumes, types of complaints and trends. We will also provide our 2 MRC board members and tenant representatives with all complaints performance information and any contact from the Ombudsman. They will report back to board and ensure that complaints remain a key focus area for the organisation.

4.3 Any themes and trends will be assessed and reviewed by senior managers and the information will be used to improve services to customers and when reviewing policies and procedures.

5.2 We will ask complainants to provide us with feedback on the way we have handled their complaint and provide information to all customers on how we are performing in delivering our complaints service.

6. Associated documents

- Compensation Policy

