



Comments, Suggestions and Complaints Policy

Copies of this document can be made available on request.

Date Authorised by Board	June 2024
Review date	June 2025
Related Policies <i>This policy should be read in conjunction with the;</i>	<ul style="list-style-type: none"> • Equality, Diversity and Inclusion Policy <ul style="list-style-type: none"> • Data Protection Policy • Service User Involvement Strategy <ul style="list-style-type: none"> • Disciplinary Procedure

1. Introduction

1.1 Norton Housing and Support (NH&S) encourages feedback as to how its service could be improved. This includes feedback from Service Users themselves, as well as from relatives, carers, representatives, referrers and other involved health and social care professionals. Feedback mechanisms for Service Users include informal house / tenant meetings, our 'In This Together' engagement panel, and the completion of surveys. More detail on our feedback mechanisms is included in the Service User Involvement Strategy.

1.2 NH&S also recognises that sometimes things can go wrong, and those who use its services may be dissatisfied, and wish to complain. The procedure for dealing with complaints is given below. Complaints from carers, family members or advocates on behalf of a Service User are dealt with via the same process.

2. Definition of a Complaint

2.1 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 Service User or group of Service Users'. Complaints may come from Service Users themselves, or from relatives, carers, representatives, referrers or other involved health and social care professionals. A Service User or their representative does not have to use the word 'complaint' for it to be treated as such.

2.2 A complaint about nuisance or antisocial behaviour is different to a complaint about our service and it will be dealt with under our Bullying, Harassment and Antisocial Behaviour Policy. However, should a Service User or their relative / carer / representative feel unhappy with the way nuisance or antisocial behaviour is dealt with by NH&S, they may make a complaint under this policy.

2.3 A service request is a request from a Service User requiring action to be taken to put something right. Service requests are not dealt with under this policy. Should a Service User express dissatisfaction with the response to their service request, then this will be treated as a complaint and dealt with under this policy, even if the handling of the service request remains ongoing. The service request will continue to be dealt with.

2.4 A complaint made in the form of a petition or letter from a group will be treated as one complaint.

3. Our Standard

The Transparency, Influence and Accountability Consumer Standards of the Regulatory Framework for social housing in England requires landlords to 'ensure complaints are addressed fairly, effectively, and promptly'. Specifically, it states:

- Registered providers must ensure their approach to handling complaints is simple, accessible and publicised
- Registered providers must provide accessible information to tenants about:
 - a) how tenants can make a complaint
 - b) the complaints policy and complaints handling process
 - c) what tenants can do if they are dissatisfied with the outcome of a complaint or how a complaint was handled, and
 - d) the type of complaints received and how they have learnt from complaints to continuously improve services.

In line with the National Housing Federation's Together with Tenants Charter, NH&S is committed to giving Service Users simple and accessible routes for raising issues, making complaints, and seeking redress, specifically by:

- Giving Service Users a variety of ways to communicate their complaint
- Taking all complaints seriously
- Providing complainants with a clear explanation of how their complaint will be dealt with, and keeping them informed at all stages
- Resolving complaints as quickly and effectively as possible
- Treating complainants with respect, and keeping any information confidential, as far as reasonably practicable

3.1 Equality and Diversity

NH&S complies with the Equality Act 2010 and has an Equality, Diversity and Inclusion Policy. The organisation is committed to the principles of fairness, accessibility and transparency in the delivery of its complaints procedure. Staff receive training in equality and diversity issues.

Where Service Users or their representative require reasonable adjustments to facilitate them making a complaint or participating in any aspect of the complaints process, these will be addressed. All requests for reasonable adjustments will be responded to promptly and in a manner that takes account of the adjustments requested.

Please see the Equality, Diversity and Inclusion Policy and the Disability Policy for more details on our approach to reasonable adjustment,

Service Users who require support to understand the complaints procedure can speak to a member of staff, who can help them contact an independent advocate should they so wish. The Complaints Procedure can be supplied in other formats, including translation and easy read, where this is required.

Where complainants are asked to attend a meeting as part of the investigation into a complaint, the location of the meeting will consider their access and communication needs.

4. Making a Comment, Compliment or Suggestion

When someone contacts us with a comment, suggestion or compliment, we will let them know what has been done as a result of their feedback. Compliments about staff are passed on to Line Managers.

5. Complaints Procedure

5.1 Raising a Complaint

Those wishing to raise a complaint may do so at any time but are strongly encouraged to do as soon as possible after the situation or incident leading to the complaint has occurred. This gives the organisation the best opportunity to fully investigate what has happened and put things right.

Complainants are encouraged to complain via whichever channel best suits their needs, including:

- In writing, to 107 Newport Street, Leicester, LE3 9FU
- By speaking to a member of staff
- Via email to info@nortonhousingandsupport.org.uk
- Via the website enquiry form (<https://nortonhousingandsupport.org.uk/contact-us/>)
- By calling our offices on 0116 2538541 (8.30am-4.30pm, Monday-Friday)
- By using our Comments, Suggestions and Complaints Form

Complaints received via social media (for example via Facebook or Twitter) will be responded to, however, to protect staff and Service Users, discussions about complaints will not take place in the public sphere.

5.2 Exclusions and Managing Unacceptable Behaviour

5.2.2 Exclusions

NH&S is committed to considering all complaints. Situations in which a complaint may not be considered are as follows:

- Legal proceedings have started
- The matter has previously been considered under the complaints policy (unless any additional evidence or information is provided).
- Anonymous complaints

It should be noted that the individual circumstances of each complaint will be fully considered before a decision not to accept it is taken.

If NH&S decides not to accept a complaint, an explanation will be provided to the complainant, setting out the reasons why and (where applicable) explaining their right to take the decision to the Ombudsman.

5.2.3 Managing Unacceptable Behaviour

It is recognised that there may have been difficult circumstances leading up to a complaint, and that the complainant may be experiencing distress or anxiety as a result. This can lead to certain behaviours, such as:

- asking for responses within a very short space of time, without regard to the policy.
- repeatedly calling, emailing or contacting the organisation via social media regarding the issue (for example, multiple times per day)
- continuously adding to, or changing, the subject matter of the complaint
- verbal aggression

NH&S is committed to ensuring Service Users are provided with support to manage their distress, and to understand appropriate behaviour when raising a concern. If their behaviour is placing unreasonable demands on staff, and impacts the level of service that can be offered to others, they may be asked, and supported to:

- limit contact regarding their complaint to a single form i.e. to writing, email or telephone only
- limit contact regarding their complaint to certain times or to a limited number of times
- limit their complaint to one or more specific issues, with a view to other concerns being raised and investigated separately (see 5.8, below)

In extreme cases such as physical violence or harassment towards an employee, the breach of licence / tenancy agreement policy will be followed.

Where restrictions on contacting staff about a complaint are put in place, the complainant must be informed that they are entitled to appeal this decision. It should be noted that any restrictions will be for a limited period and will still allow the complainant to contact staff about other, unrelated matters.

5.3 Receipt of Complaint, Stage 1.

When a complaint is received, it will be acknowledged in writing, defined and logged at stage 1 of the complaints procedure within 5 working days of being received.

If there are any aspects of the complaint for which NH&S is not responsible, this will be explained in the acknowledgement. Where possible, the complainant will be signposted to the relevant service, and offered support to raise their concerns.

The complaint will be forwarded to the Complaints Officer, who will investigate. Where the Complaints Officer themselves is implicated in the complaint, then the Chief Executive or another member of the Operational Management Team will be assigned to investigate it. Where they are also implicated, or where this is felt to be inappropriate, it will be dealt with by the Board of Trustees.

5.4 Investigation

The Investigating Officer will strive to:

- deal with complaints on their merits;
- act independently and with an open mind;
- give the complainant a fair chance to set out their position;
- consider all relevant information.

The Investigating Officer will firstly contact the complainant to ensure they understand the details of the complaint and the outcomes being sought. Where appropriate, they should seek to clarify what action the complainant feels NH&S should take to remedy their issue, and by when. Should the complaint be upheld, this information should be considered when deciding on the remedy. Depending on the needs of the complainant, this may be done via a face-to-face meeting or via the telephone. Where the initial complaint has been given verbally, the Investigating Officer will record the details in writing and ensure they check their understanding of the issues raised. Should a Service User wish, they may be represented or accompanied at any meeting by a relative, carer, advocate, representative or other involved health and social care professional.

The Investigating Officer will normally interview those involved in the complaint as part of the investigation – this might include staff, contractors, or other Service Users. Those specifically implicated in the complaint will be given the opportunity to respond. The identity of the Complainant will be protected as far as possible.

The Investigating Officer may also check other sources of information to ascertain what occurred – for example information on previous complaints, case notes or CCTV footage. The investigation will be conducted in an impartial manner, carefully considering all evidence and information.

Where a complaint is made alleging gross misconduct on the part of a member of staff e.g., abuse or theft, the issue must be brought to the immediate attention of the Chief Executive or Chair. A decision will then be made as to whether the member of staff should be suspended from duty pending a formal investigation - see the Disciplinary Policy.

During the complaint process, NH&S will adhere to any reasonable arrangements agreed with the complainant in terms of frequency and method of communication.

Where the Investigating Officer feels they are unable to uphold all or part of the complaint, they will communicate this to the complainant and give them an opportunity to comment before a final decision on the complaint is made.

5.5 Response

The complainant will receive a written response to their Stage 1 complaint within 10 working days of their complaint being logged and acknowledged. If this is not possible, they will be contacted within the 10 days to agree suitable intervals for keeping them informed about their complaint, and a new target timescale (this will not normally exceed a further 10 days). Where applicable, the Housing Ombudsman's details will be provided.

The written response will include details of:

- the complaint stage
- the outcome of the complaint
- reasons for any decisions made
- where applicable, how NH&S proposes to put things right. The letter will, as far as possible, specify what will happen and by when
- how to escalate the matter if dissatisfied

If the complaint is not resolved to the complainant's satisfaction, it will be progressed to Stage 2.

Where further action is required after the response letter to fully resolve the complaint, complainants will receive further updates – either verbally or in writing - until such point as any actions arising from the complaint are completed.

5.6 Stage 2 - Appeal

If the complainant is not happy with the decision they have received at Stage 1, they have the right for this to be reviewed at Stage 2 – Appeal, within 30 days. After 30 days, the complaint will be treated as a new complaint. Complainants can request to escalate their complaint by notifying the Complaints Officer or the Chief Executive.

When a Complainant asks for their complaint to be escalated to stage 2, this will be acknowledged, defined and logged at stage 2 of the complaints procedure within five working days of the request being received.

At stage 2, the complaint investigation will be reviewed by a Review Panel, that includes the next level of management and/or Trustees. The panel may also include an independent person from outside the organisation. No panel member should have had any earlier role in the processing of the complaint. However, as NH&S is a small organisation this may not always be practically achievable.

As part of Stage 2, the complainant will be asked what they feel could have been done to resolve the complaint at stage 1 – however the complainant is not obliged to give a reason for wishing to escalate their complaint.

To review the complaint, the Complainant and the Investigating Officer may be asked to attend a meeting.

Where this is appropriate, they will both leave together once they have stated their cases. The complainant will be given opportunity to speak confidentially with the panel, should they so wish. Seven days' notice should be given of any review meeting. Both the Complainant (or their representative) and the Investigating Officer will be given the opportunity to submit documents to the panel, if they wish.

The Complainant will have the opportunity to be represented at any meeting or be supported by a relative, carer, representative, advocate or other involved health and social care professional. The location of the panel meeting will consider the access needs of the Complainant and may be held virtually.

The Complainant will receive a response to their Stage 2 complaint within 20 working days from date of escalation. The written response will include details of:

- the complaint stage
- the complaint definition
- the outcome of the complaint
- reasons for any decisions made
- where applicable, how NH&S proposes to put things right
- details of any outstanding actions
- how to escalate the matter if dissatisfied, including details of the Housing Ombudsman, where appropriate

If this is not possible, the complainant will be contacted within the 20 days to explain the reasons for the delay and agree a new target timescale (this will not normally exceed a further 20 days). The Housing Ombudsman's details will be provided, where applicable.

Where further action is required after the response letter to fully resolve the complaint, complainants will receive further updates – either verbally or in writing - until such point as any actions arising from the complaint are completed.

5.7 Putting Things Right – Remedy

Any remedy offered following a complaint will reflect the extent of any service failures and the level of detriment caused to the complainant. When deciding on an appropriate remedy, the following factors will be considered:

- complainant's needs and wishes
- length of time that a situation has been ongoing
- frequency with which something has occurred
- severity of any service failure or omission
- number of different failures
- cumulative impact on the complaint
- complainant's particular circumstances or vulnerabilities

Remedies may include, but are not limited to:

- acknowledging where things have gone wrong
- providing an explanation, assistance or reasons
- apologising
- taking action if there has been a delay
- reconsidering or changing a decision
- amending a record
- providing a financial remedy
- changing policies, procedures or practices

The remedy offer will set out what will happen and by when, in agreement with the complainant

where appropriate. Regular updates will be provided to the complainant until the issues are resolved.

5.8 Additional Complaints

If the complainant raises further complaints during the investigatory process these will be incorporated into the stage 1 response if they are related. If the additional complaint is unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.

5.9 Further Redress

If the organisation fails to respond to a complaint from a licensee or tenant, then the licensee or tenant may access help from the Housing Ombudsman. They may also take their complaint to the Ombudsman if they have completed this process and do not feel their issues have been resolved.

The Ombudsman may:

- refer the case to a different organisation, if it is not in their jurisdiction
- offer mediation
- carry out an investigation

The Housing Ombudsman can be contacted by:

Filling in their online complaints forms at: <https://www.housing-ombudsman.org.uk/residents/make-a-complaint/>

Email: info@housing-ombudsman.org.uk

Phone: [0300 111 3000](tel:03001113000)

phone line opening hours are:

Monday, Tuesday, Wednesday, Friday 9am - 5pm

Thursday 9am - 3.30pm

Lines are closed for staff training every Thursday from 3.30pm to 5pm.

Writing to:

Housing Ombudsman Service
PO Box 1484
Unit D
Preston
PR2 0ET

Fax: 020 7831 1942

For more information, visit: www.housing-ombudsman.org.uk

Complainants looking for further redress whose issues do not fall under the remit of the Housing Ombudsman, may raise their concerns with the Local Authority, their MP or local Councillor.

6. Confidentiality

Confidentiality within the formal complaints procedure means that only those staff members involved in the investigation or administration of the complaint, have knowledge of it, its progress and outcome.

Communication with the Complainant will not generally identify individual members of staff or contractors – however, this may be unavoidable in some cases.

Data pertaining to complaints will be collected, stored and used in adherence to the General Data Protection Regulations.

Data regarding complaints may be shared with housing association landlords and with commissioners, where this forms part of NH&S's contract or management agreement. Data is normally provided in an anonymised form.

7. Monitoring of Complaints, Learning and Feedback

7.1 Housing Ombudsman Requirements

To ensure compliance with the Housing Ombudsman's Complaint Handling Code, NH&S is obliged to carry out an annual self-assessment. A reassessment will also take place following significant restructuring and/or changes in procedure.

The annual assessment, alongside an annual complaints performance and service improvement report, will be completed by the Operational Management Team and reported to the Board of Trustees. The Board will review the information provided and respond.

The self-assessment, the complaints report and Trustees response to the self-assessment will be published on NH&S's website 12 weeks after the end of the financial year. It will also be distributed in written form, in a format compatible with the needs of Service Users.

7.2 Record Keeping

A full record is kept of all complaints, any review and the outcomes at each stage for a period of at least five years. This includes the original complaint and the date received; all correspondence with the Service User, correspondence with other parties and any reports or surveys prepared. This enables the organisation to spot any trends and learn from experience.

7.3 Governance

The Chief Executive's regular Performance Monitoring report to the Board of Trustees includes a summary of complaints received in terms of category and outcome, as well as performance against the response times set out above.

One Trustee (the Member Responsible for Complaints) has lead responsibility for complaints within the Board, and works to support a positive complaint handling culture.

7.4 Complaint Reviews

Every six months, the management team meets with the Member Responsible for Complaints to review complaints received within the period. This review includes consideration of:

- complaint handling performance
- any trends or themes within complaints
- any barriers which might discourage the making of complaints
- lessons learnt from complaints
- wider service improvements implemented or required.
- where applicable - Any investigations carried by the Ombudsman, and progress made in complying with orders related to severe maladministration findings

The findings of this review are reported back to the Board of Trustees, who will consider any recommendations made.

Where learning points from complaints are identified by the Operational Management Team and Board of Trustees or the Team, these will be cascaded to staff as relevant via:

- One to one supervision with line manager
- Team Meetings
- Training activities

Service Users are informed how complaints are used to improve services via annual reports and 'In This Together' meetings.

8. Awareness

Staff are made aware of the Comments, Suggestions and Complaints Policy, the Housing Ombudsman and the Complaint Handling Code, and their role in the complaints process, via induction, regular team meetings and learning cafes.

Service Users are first made aware of the Complaints Procedure and are given information on how they can contact the Ombudsman via their induction and in their Handbook. A leaflet explaining the Complaints Process is also available.

'Comments, Suggestions and Complaints' is a standing item on house and tenant meeting agendas.

The Complaints process is also explained on the NH&S website <https://nortonhousingandsupport.org.uk/complaints/>

In the event that the organisation becomes unable to process complaints due to exceptional circumstances, the Ombudsman and any affected residents will be informed and provided with timescales. Where appropriate, information will be published on the website.