

Complaints Policy

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We monitor local and national guidance and legislation to ensure that the health and safety of our customers, staff and partners are paramount.

Our Policy and Procedures are regularly updated however there may be occasion where external factors (e.g., COVID-19) impact upon our compliance.

When such instances occur, it is important that we are responsive to these factors. This may mean that we need to amend our compliance with Policy and Procedures as we adapt our service delivery to be consistent with Government guidance. We will always seek to do this in a way that does not disadvantage our customers and we will take every measure to ensure any disruption or alterations to service is kept to a minimum.

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Complaints Policy

1 Introduction

- 1.1 At South Essex Homes we are committed to improving our services so that we meet our customers' needs. To do this, we need to know when you are not happy, or if you have a suggestion for ways to improve our services. Equally, if we have done something well, please let us know.
- 1.2 If you have not contacted us before to tell us about the issue(s), please do this first. For example, if you have not reported a repair to us, or need to tell us about a problem on your estate, please telephone our Freephone number 0800 833160 and allow us to try and put things right. However, if you have previously contacted us and are not happy with the outcome then you may wish to make a formal complaint.
- 1.3 We will keep you informed of the progress of your complaint during our investigations and aim to provide you with the decision of your complaint within 10 working days of acknowledgement. Our guarantee is to always respect confidentiality.
- 1.4 You can provide your feedback on the service we provide by returning a feedback form or in any of the following ways
 - Freephone: 0800 833160
 - Email: SEHComplaintsandFOIs@seh.southend.gov.uk
 - Letter: Write to the Corporate Resources Team, South Essex Homes, Civic Centre, Victoria Avenue, Southend on Sea. SS2 6FY
 - Contact us on Facebook or Twitter

2 Suggestions and Compliments

- 2.1 South Essex Homes always welcomes suggestions about how we can improve our services to residents. We also welcome compliments, about an individual, team or service, as these help us to identify where we are performing well and share this good practice with other departments within South Essex Homes.
- 2.2 We will acknowledge receipt of your suggestions and compliments and let you know what action we will be taking. We will also pass your comment or compliment to the relevant manager and publish the best suggestions in our Insight magazine.

3 Service Requests

- 3.1 South Essex Homes recognises the difference between a Service Request and a complaint. A Service Request is a request from a resident to South

Essex Homes requiring action to put something right. South Essex Homes will record, monitor and review service requests regularly.

- 3.2 A Service Request would proceed to a complaint where the resident raises dissatisfaction with the response or outcome of their Service Request.

4 Survey Feedback

- 4.1 Survey responses will not generally be treated as a complaint, though, where possible we will make residents aware when completing the survey of how they may make a complaint if they wish to.
- 4.2 Where possible we will always follow up on negative feedback received via our surveys to ensure that we can put things right and improve our service.

5 Formal Complaints

- 5.1 Effective complaint handling should be a customer friendly process that enables residents to be heard, listened to and understood. The starting point for this is a mutual understanding of what constitutes a complaint.
- 5.2 The resident does not have to use the word 'complaint' for it to be treated as such. We should recognise the difference between a service request, survey feedback and a formal complaint and take appropriate steps to resolve the issue for residents as early as possible.
- 5.3 A complaint is also able to be submitted via a third party or representative and will still be handled in line with this Policy.
- 5.4 We classify each complaint we receive under one of the two stages of complaint:
- 'Stage One' formal complaint
 - 'Stage Two' formal complaint
- 5.5 The Housing Ombudsman defines 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 a group of residents.' South Essex Homes recognises this definition and adopts it for this policy.

5.6 Exclusions

South Essex Homes will accept a complaint unless there is a valid reason not to do so, for example.

- The issue giving rise to the complaint occurred over six months ago. Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident. There may be situations where we

would accept a complaint where the issue occurred over six months ago, e.g., where complaints concern safeguarding or health and safety issues.

- Legal proceedings have been started. We will not look at a complaint where you have ongoing court proceedings or have already had a decision from the court about the same issues which you would like us to investigate.
- Matters that have already been considered under the complaints policy.
- The complaint is being pursued in an unreasonable manner or is considered vexatious.

5.7 If South Essex Homes decides not to accept a complaint, a detailed explanation should be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the residents right to take this decision to the Housing Ombudsman.

6 Making a Complaint

6.1 South Essex Homes is committed to always providing its customers with a high standard of service. However, we accept that there may be occasions when you are not satisfied with the service which you have received and as a result you may wish to make a complaint.

6.2 We try to make it easy for our customers to make a complaint and accept complaints in most formats and from a variety of sources, including email, our online feedback form on our website, letter, telephone, text or message via Facebook or Twitter.

6.3 When a first complaint is made on an area of dissatisfaction by a resident this will be logged as a Stage One Complaint and dealt with within the timescales set out in section 7 of this Policy. Where a resident lets us know that they are not satisfied that we have resolved all, or some, of their Stage One Complaint to their satisfaction we will progress the complaint to a Stage Two Complaint.

6.4 In all cases the person that considers the Stage Two Complaint will be a senior member of staff and different to the person that considered the Stage One Complaint.

6.5 A resident will have 6 months from the decision of a Stage One Complaint to request us to progress to a Stage Two Complaint.

6.6 All complaints will be registered and logged by our Corporate Resources Team. This team will decide which service area your complaint relates to and will ask the relevant service manager to investigate and provide you with a decision.

6.7 The Corporate Resources Team will log all complaints on our Complaints Database and save a copy of the complaint and our response on to Civica

(the application that we use to save documents electronically). This team will monitor all complaints and ensure that a reply is sent out to you within the agreed timescale.

- 6.8 If South Essex Homes is unclear on any aspect of the complaint the resident may be asked to provide further clarification to enable a full definition to be agreed and a full response to be made.
- 6.9 We will confirm in writing at the completion of our response to each complaint made;
- The complaint stage.
 - The complaint definition.
 - The decision on the complaint.
 - The reasons for any decision made.
 - The details of any remedy offered to put things right.
 - Details of any outstanding actions.
 - If a Stage One response, details of how to escalate the matter to Stage Two if the resident is not satisfied.
 - If a Stage Two response, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied.
- 6.10 Details of the number of complaints we receive and compliance with our performance indicators are reported on our website as part of our year end performance information. Wherever possible we will learn from the complaints we receive, and, in each case, we will identify where a lesson or amendment to a service has been identified to improve how we do things. We will record these lessons learned and report them to our Management Team.
- 6.11 All complaints will be dealt with promptly and in a professional manner by appropriate member/members of staff. Confidentiality will be preserved as far as is possible.
- 6.12 Complaints relating to the service provision relating to nuisance and/or anti-social behaviour fall under this Complaints Policy. Complaints reporting nuisance and/or anti-social behaviour will fall under the Anti-social Behaviour Policy.
- 6.13 **Appendix 1** of this Policy gives some examples and case studies of how we will determine if contact is a Service Request or Complaint.

7 Timeframe for Responses

- 7.1 Logging and acknowledgement of complaint – five working days from receipt.
- 7.2 Stage One Formal Complaint decision – 10 working days from acknowledgement of complaint – if this is not possible, an explanation and a date by when the stage one decision should be received will be provided.

- 7.3 Stage Two Formal Complaint decision – 20 working days from acknowledgement to escalate the matter – if this is not possible an explanation and a date when the stage two decision will be received will be provided.
- 7.4 All responses to a resident complaint will make reference to the right of our residents to access the Housing Ombudsman service at any stage for further help and guidance.
- 7.5 Extending initial response times. There is discretion to extend response times by ten days at stages one and two if there is a 'good reason.' Examples of a 'good reason' could include:
- a delay by a third party, over which South Essex Homes has no control, in providing information.
 - requiring further time to undertake interviews.
 - needing longer to acquire all the information required from multiple sources to enable South Essex homes to properly investigate a long-standing, complex case.
- 7.6 Whether an extension is required should be assessed on a case-by-case basis and residents will be kept informed.

8 Remedy

- 8.1 When responding to a complaint where we have identified failings, we will act to put in place remedial action. The remedy South Essex Homes puts in place will be considered on a case-by-case basis, each case will be treated individually and we will ensure that the remedy is fair considering the specific circumstances of the case.
- 8.2 Where appropriate South Essex Homes will look beyond the circumstances of the individual complaint and consider where we can improve in terms of process and systems. Part of the remedy we put into place may be to ensure that changes are made to policies, procedures, systems and staff training to ensure the failing does not happen again.
- 8.3 The following gives a guide to the remedies that South Essex Homes will put into place when responding to a complaint.
- 8.4 Apology
- 8.5 In some cases, the only remedy required to satisfy the complaint is an apology. An apology will address the following points;
- Acknowledgement of the failure in service
 - Acceptance of responsibility
 - Clear explanation as to why the failure happened
 - Expression of regret for the service failure

8.6 Specific Action

8.7 South Essex Homes will consider if there is a specific action that can be taken to provide all or part of the remedy. The specific action that we might consider may be;

- Performs, or does not perform, any of the contractual or other obligations existing between South Essex Homes and the complainant.
- Exercises, or does not exercise, any of the rights existing between South Essex Homes and the complainant.
- Undertakes, or refrains from undertaking, works e.g., to repair a property.
- Takes such other reasonable steps to put things right as are within the legal powers of South Essex Homes, e.g., reviews or changes a decision on the service given to an individual or does something else to make things better for the tenant to "make up" for the impact of the service failure.

8.8 Financial Compensation

8.9 Any decision to make an award of financial compensation will be based on what is considered fair in the particular circumstances of the case. The Compensation Policy contains guidance on the payment of compensation. The amount paid will be a consideration of;

- Actual, proven financial loss sustained as a direct result of the service failure.
- Avoidable inconvenience, distress, detriment or other unfair impact of the service failure.

9 Equality

9.1 South Essex Homes recognises that there may be times when this policy will need to be adapted to accommodate an individual's needs. We will make all reasonable adjustments where necessary in line with the Equality Act 2010.

10 Responsibility

10.1 The Director of Finance and Corporate Services is ultimately responsible for compliance with the Policy on a day-to-day basis. The Corporate Resources Team will be responsible for responding to complaints in line with this Policy.

11 Review and Monitoring

11.1 As part of the monthly performance monitoring, the Executive Management Team will receive updates on Complaint stages and performance against complaints responded to in target time. The Board will receive information on complaints performance annually.

- 11.2 It is a requirement that all registered providers adhere to the Housing Ombudsman's Complaint Handling Code. Although South Essex Homes is not itself a Registered Provider, we must ensure that we comply with the Code as the representatives of the Council. South Essex Homes will undertake a Self-Assessment against the code on an annual basis to ensure our Complaints Policy and Procedures comply with the Housing Ombudsman's Complaint Handling Code.
- 11.3 South Essex Homes ensures that it monitors the complaints about our contractors. Each contractor will be expected to have a Complaints Policy comparable to the Policy of South Essex Homes. In particular, complaints about the service provided by our larger contractors will be reviewed and discussed with individual contractors at client management meetings and reported to the Board on an exception basis.