

1. Policy Statement

Origin aims to provide excellent services to all of its customers. However, we recognise that sometimes things can go wrong and that this can have an impact on our customers. We want to ensure that when customers tell us something is wrong, we put it right in a prompt, polite and fair manner and we use the feedback to improve the way we do things. We have a three stage complaints procedure in place to help us do this.

2. Scope of the Policy

Our complaints policy and procedure can be used by any person or group that receives a service from Origin Housing, or any third party raising a complaint in the interest of an Origin customer.

In the case of complaints received from customers who receive services from third party management companies where the complaint arises from a specific service provided by them, then if the managing agent has a complaints process this should be used for handling the complaint. If the managing agent doesn't have their own complaints policy, or where it is more appropriate to handle the complaint outside of the managing agent's processes, then the Origin complaints policy will be used.

3. Definitions

A complaint is an expression of dissatisfaction made by one or more customers about any aspect of the work that Origin does, whether or not justified.

Complaints may regard:

- services being delivered to a poor standard
- a lack of action or inaction by Origin staff
- procedures or policies not being adhered to
- the behaviour of Origin staff members or contractors working with Origin.

Our aim is to reduce the number of complaints dealt with by the "formal" complaints procedure, and wherever possible to fully resolve the customer's issue(s) quickly, with no need for further review or follow-up action.

4. Origin's Policy

Complaints stages

Prior to any issue being raised within the complaints process, Origin must first have the opportunity to sort it out informally as an **expression of dissatisfaction**. If at 'EoD' stage the issue cannot be rectified to the customer's satisfaction, it can progress to the first stage of the complaints process.

Stage 1

The complaint will be investigated by an officer, who will contact the complainant by telephone or in person, to confirm details of the complaint and to aid investigation. The complaint handler will contact the complainant again to discuss and agree how the issues will be address. A full written response to the complaint will then be sent out within 10 working days, including details of any part of the complaint to be actioned outside of the 10 day period.

Stage 2

If the complainant is not satisfied with the decision made at stage 1, they can request for the complaint to be escalated, within 10 working days, to stage 2. At stage 2, the complaint is investigated by the appropriate next level manager. This manager will not have previously been directly involved in the complaint investigation.

The manager will contact the complainant by telephone or in person, to enter into a dialogue with them to understand why the complainant was disssatisfied with the earlier response and investigate the complaint fully.

Again the complaints handler should contact the complainant with the outcome of the stage 2 investigation, and agree action which is contained in a full written response to the complaint within 10 working days. If a full response cannot be provided within 10 working days, the complaints handler will discuss this with the complainant.

Stage 3

If the complainant is not satisfied with the decision made at stage 2, they can request for the complaint to be escalated, within 10 working days, to stage 3.

At the third stage, the complainant is given the opportunity to present their complaint to an independent panel, which will be arranged within eight weeks of the escalation request if agreed.

The panel will be made up of three people and they will be selected from the appropriate Boards or Committees. The members must have had no involvement in stages 1 or 2 of the complaints process.

Complaint panel hearings may be held in the absence of the complainant and this will be confirmed in writing to the complainant

The aim of the panel is to assess whether the complaint has been handled appropriately, fairly and reasonably. They will also assess whether we have addressed the complaint appropriately since we were made aware of it and review whether our policies and procedures have been followed. The panel will also assess whether the final decision in relation to the complaint decision took into account the individual circumstances of the customer.

Our aim is to do everything possible to resolve a complaint through our procedures. However, if a complainant feels that our internal procedure has not adequately responded to their complaint, they can take their complaint to the appropriate external agency, for example, the Housing Ombudsman Service for housing related complaints, or to the Local Authority Supporting People Team or the Care Quality Commission for complaints relating to support and/or care services.

Complaints from leaseholders regarding service charges should be referred to the Leasehold Valuation Tribunal (LVT).

Designated Persons and the Housing Ombudsman service

The Localism Act 2011 provides that Origin tenants can ask for their complaints to be considered by a 'designated person' when their landlord's internal complaints procedure is finished.

When contacting complainants at the end of the internal complaints investigation (including complaints where we refuse to escalate – see section below) they will be offered the opportunity to contact a designated person in their local authority area, or refer the matter directly to the housing ombudsman (usually not less than 8 weeks after the landlord's final decision). The designated person arrangements in each local authority may vary – usually it will be the ward councillor/MP, and this will be communicated to the complaints when their complaint is closed.

Situations where the complaints policy and procedure will not apply

Although a customer may use the term complaint, there will be instances where the complaints policy and procedure should not be used to address an issue. Examples include where a customer is:

- **Complaining about a correctly applied policy**
If the policy has been applied correctly, and the customer is unhappy about its impact on them, there will be no right to complain further. They will in some circumstances have redress to make an appeal against a decision that affects them. Please read **Appeals Policy and Procedure**
- **Requesting a service for the first time**
e.g. reporting a repair or notifying us of an anti-social behaviour incident.
- **Making a complaint that relates to incidents that occurred more than 6 months ago**
A complaint will not usually be dealt with through the procedure if the problem dates back more than 6 months and the complainant has not brought it to our

attention during this time, providing that the complaint was originally responded to in accordance with the Complaints policy. Discretion may be used if there is a valid reason for the delay. Any complaint raised within the 6 month period will remain open until all the aspects of the complaint have been resolved.

- **A vexatious complainant**

See also **Unreasonable Behaviour** section below

- **Complainants taking legal action**

If a person is taking legal action about an issue, we can no longer deal with the issue through our complaints procedure. However, threats of legal action will not stop us from dealing with a complaint.

- **Complaints that refer to statutory or other legal obligations**

Where a complaint is about something that is outside of Origin Housing's control, for example legislation, government or local authority policy, a contract, tenancy agreement or lease, we will not investigate the issue as a complaint. Effective complaint management is about working with the complainant to resolve the issue; where the issue cannot be changed, investigating the complaint would not offer any further resolution. We will discuss the situation with the complainant, and agree an appropriate way forward depending upon the situation.

- **Complaints relating to disrepair**

If a complaint refers to a disrepair or defect legal claim - where a complaint refers to a disrepair or defect issue which is currently being processed as a claim, the member of staff who receives the complaint will inform the complainant in writing that our insurers/legal advisors will be dealing with the claim.

Where the Origin complaints process will not be used to address such issues, a clear explanation must be provided to the customer and signposting information as appropriate. Complaints will only be addressed through our internal procedures once.

Sensitive complaints

Sensitive complaints, such as those relating to staff members, or to people who have disclosed sensitive personal information as part of their complaint will be flagged as 'sensitive' when the complaint is logged, to ensure additional confidentiality. See [Data Protection](#) and [Equality & Diversity](#) policies.

All complaints will be handled in accordance with the principles of the Data Protection Act 1998 and with our policy.

Using Discretion

We reserve the right to use discretion when applying this policy and procedure. We may deal with a complaint differently where individual circumstances merit it. Actions taken may include (this list is not exhaustive):

- not investigating a complaint or not escalating a complaint through all 3 stages
- forwarding the complaint through our procedure more quickly than usual;

- skipping a stage of the procedure; or
- referring the complainant to contact an alternative organisation such as the Housing Ombudsman Service, Supporting People Team or the Care Quality Commission at any point in the process
- complaints where we are refusing the right to escalate (see section below)
- action regarding a petition where a number of complainants are involved (the complaint would however be registered in the usual way with the lead customer's name used to log the complaint)
- dealing with anonymous complaints. Complaints can be made anonymously and recorded and investigated as appropriate so that issues can be remedied and learning opportunities identified.

Refusal to Escalate a Complaint

In some circumstances following an investigation at stage 1 and 2 of the complaints process, a decision may be made to recommend that the complaint cannot escalate to the next stage of the process. This may only be carried out where the complaint has been handled in accordance with our policies and procedures. All the steps required by the complaints policy and procedure, in particular contact with the customer, keeping to deadlines for responding to the complaint and giving a full response to all aspects of the complaint must have been met and any relevant compensation or other appropriate redress offered.

The decision to refuse escalation can only be taken at Director level which must satisfy themselves that the complaint has been fully and appropriately investigated. In terms of any refusal to escalate to Stage 3 of the complaints process, following the above sign off the relevant Board members serving as the Panel will be notified of the decision not to escalate with details of the complaint and the agreed remedy.

When contacting the complainant with a decision not to escalate, they will be offered recourse to a designated person or the Housing Ombudsman service (see above).

Unreasonable Behaviour

We recognise that people who are unhappy about an issue may show signs of stress or frustration when reporting a complaint; however, we will not tolerate abusive, vexatious or threatening behaviour. Examples may include:

- treating staff in an abusive or threatening manner
- refusing to respond to contact from staff, which makes it difficult to investigate and resolve a complaint
- repeatedly contacting several members of staff about the same complaint to deliberately cause confusion in the complaints process.

Where a complainant's behaviour is considered to be unacceptable, we reserve the right to take appropriate action for that particular situation which may include

limiting who the complainant can contact or stopping the investigation into the complaint where the circumstances merit this approach. Please see the **Unacceptable Behaviour policy** for more details about this.

Other Enquiries

Chief Executive correspondence

Correspondence sent to the Chief Executive about an issue will either be investigated as a new complaint or will be included as further information in a complaint that is already being investigated.

MP and Councillor enquiries

We aim to respond to enquiries received from an MP or councillor within 10 working days, but, unless their content is a specific complaint, will not be counted as a complaint.

Board and Committee Members

Where Board or Committee Members (Members) wish to raise concerns of any nature, this will not be dealt with through the standard Complaints procedures. Members should speak with the Chair of their Board/Committee or with the Company Secretary. It is not appropriate for Members to represent individual customers' complaints or concerns. Board Members should operate in line with their code of conduct.

Welcoming complaints and using them to improve

Origin welcomes all customer feedback, good or bad, recognising its value in helping to make things fairer for customers and highlighting the aspects of our services that need to be improved. We will make it easy for customers to complain by promoting the service, including the difference that complaint feedback has made, and by offering customers a range of way to express their dissatisfaction.

Our staff will encourage customers to provide feedback about our services, including complaints. Customer complaints will be dealt with confidentially and they will not affect the way that customers are treated by Origin in the future. Staff will reassure customers of this when receiving a complaint.

Complaints will be used as a means of improving the way we deliver services. We will seek to identify learning opportunities, both by reviewing complaints individually and by regularly reviewing the bigger picture to see what aspects of our services are complained about the most.

Compliments and suggestions

As well as complaints, we also welcome compliments and comments from our customers. Compliments help to highlight what we are doing well and what aspects of our service are valued by our customers. They enable good practice to

be shared across the organisation. Customer comments and suggestions can, like complaints, be used to improve the way that we deliver our services. These are captured by the CCO and cascaded appropriately.

5. Equality and Diversity

Customers can express their dissatisfaction in whichever way they choose. It is **NOT** necessary for a complaint to be made in writing. Asking customers to do this is potentially discriminatory.

Complaints can be made to **any member of staff or contractor**, in the following ways:

- By email
- By telephone call
- By fax
- By text
- Face to face to any staff member or operative
- By visiting one of our offices
- By completing a customer complaints form
- Through a feedback survey
- At a road show/event
- Through a third party e.g. an advocate, support worker, MP or Councillor

Staff will assist those customers that require help when making a complaint, including using our interpreting service. If a customer is unable to make a complaint themselves or would like the support of others, we are happy to receive complaints from a third party on their behalf. Examples include a friend or family member, a carer or support worker, an advocate, an MP or Councillor, a representative from the Citizens' Advice Bureau or other organisation e.g. a residents' association or community group.

In addition to the above, there is also a dedicated complaints email account (complaints@originhousing.org.uk) which customers can use. They can also use an on line form available via the Origin website.

The diversity profile of complainants and customers satisfied with the complaints process will be monitored on a quarterly basis in order to help ensure that our approach to complaint handling is both fair and accessible.

Our customer complaints leaflet, which outlines the key aspects of this policy and procedure, can be translated or provided in alternative formats such as Braille, pictorial, large print, audio, Easy Read upon request. Guidance on how quickly the alternative format will be provided will be given at the time of request. Origin's Communications Policy must be adhered to.

6. Monitoring

Complaints performance will be reviewed on a regular basis by the quarterly Service improvement group and at the Senior Management Team via the quarterly customer feedback report. Particular emphasis will be placed on:

- The nature of the complaints received
- Customer feedback
- Response performance
- Quality of complaint handling
- How complaints have been used to improve services

7. Communication of Policy

This policy will be promoted to customers through:

- Customer leaflets in office and scheme receptions and on the Origin website.
(Alternative formats will be available upon request)
- Posters in office and scheme receptions
- (Information on the Origin website)
- Articles in the customer magazine 'In the Know'

The policy will be communicated to staff through:

- Articles and guidance on O net
- Articles in the staff magazine Ozone
- Regular training
- Discussion at team meetings

8. Review

The policy is designed to be applied to the management of live complaints. Customer feedback on the quality of service received monthly will be used to review the policy, as well as feedback via regular complaints monitoring sessions.

While ongoing checks will be made of responses before being sent out, each quarter, a 5% sample of the complaint cases received will be quality checked. This will include checking whether:

- responses were provided when reported
- responses addressed all points and were clear and easy to read
- Plain English and good grammar were used in the response
- the response and remedial action was proportionate and staff went "the extra mile" where they could
- the customer was regularly kept informed of progress.