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# Complaints Policy

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**Department:** Housing Services

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## Version Control

Item	Reason for Change	Officer/Manager	Version	Date
1	Existing policy	Business Improvement	0.1	Feb 2013
2	Redraft of existing policy	Business Improvement	0.2	June 2014
3	Final comments from complaints review	Business Improvement	0.3	December 2014
4	Redraft of existing policy as a result of changes in the Housing Ombudsman complaint Scheme & Code	Head of Housing Services	0.4	November 2020

## Related Documents

Appeals Policy  
Customer Service strategy  
Equality and Diversity strategy  
Unacceptable Behaviour Policy

## Legislative and Regulatory Framework

This policy reflects the Housing Ombudsman Complaints Handling Code.

## Appendices

### 1. Policy Statement

- 1.1 Origin is committed to providing a good quality service to all customers. However, we recognise that sometimes people will have cause for dissatisfaction with our service and will wish to make a complaint.
- 1.2 We will investigate complaints in a confidential and respectful manner, keeping the customer fully informed throughout the process.
- 1.3 Wherever possible we will seek to resolve complaints informally to achieve a swift and satisfactory outcome for the customer without the need for a formal complaint.

- 1.4 We take learning from complaints seriously and will ensure that lessons learnt from the complaint process are used to inform service improvements.
- 1.5 In certain circumstances we may consider paying compensation as part of a complaint resolution, details of which are set out in our compensation policy.
- 1.6 Complaints from leaseholders regarding service charges should be referred to the First Tier Tribunal (Property Chamber).

## **2. Scope of the Policy**

- 2.1 All staff and managers are responsible for ensuring they work to the policy objectives.
- 2.2 By publishing this policy statement, we aim to ensure we deliver against the policy objectives.

Key objectives:

- i. Deal with customer complaints swiftly and fairly
- ii. Provide a resolution focused service
- iii. Raise overall levels of customer satisfaction
- iv. Ensure compliance with our statutory and regulatory obligations.

## **3. Definitions**

- 3.1 A complaint is 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.
- 3.2 distinction is made between a request for a service and a complaint about a service. This policy relates to complaints about services. Service requests are only treated as a complaint if we have failed to deal appropriately with the initial request.

## **4. Origin's Policy**

### **4.1 Who can complain?**

The following people can log a complaint in accordance with this policy and where appropriate escalate it through both stages of our complaints procedure:

- Any Origin resident
- Anyone who is in receipt of a service or is affected by a service that is provided by Origin
- Anyone who may potentially receive a service from Origin, for example someone who is applying for a service.

Customers are welcome to make a complaint via an advocate. Where a complaint is made via an advocate we will need the customer's written consent.

We are not able to investigate complaints about services, organisations and individuals for which Origin is not responsible.

## 4.2 Exclusions

Although a customer may use the term complaint, there are circumstances in which a matter will not be considered within this policy. Examples include:

- **Complaining about a correctly applied policy** – in some circumstances a customer may have redress to make an appeal against a decision that affects them. The customer will be referred to the Appeals policy.
- **Requesting a service for the first time** – e.g. reporting a repair or notifying us of an anti-social behaviour incident.
- **Complaint relating to an incident that occurred more than 6 months ago** - discretion may be used if there is a valid reason for the delay or it relates to a safeguarding concern or health and safety issue. Where there is a long standing issue we will consider older reports as part of the background to the complaint if this will help to resolve the issue for the customer.
- **A vexatious complainant as specified in our Unreasonable Behaviour policy.**
- See also Unreasonable Behaviour section below
- **Legal proceedings have been started** – where we or the customer has issued legal proceedings regarding the issue. Threats of legal action (including formal Letters Before Action) will not usually constitute legal action having been started.
- **Matters that have already been considered or are currently being considered under the complaints policy.**

Where we do not accept a complaint, we will provide the customer with an explanation setting out the reasons why the matter is not suitable for our complaints process.

Where we have advised a customer that we are not accepting a complaint, the customer will have the right to challenge this decision by bringing their complaint to the Housing Ombudsman Service. Details of how to contact the Ombudsman can be found at the end of this policy.

## 4.3 Making a complaint

We will make sure customers can easily make a complaint without restriction.

Customers can express their dissatisfaction in whichever way they choose. It is NOT necessary for a complaint to be made in writing. Complaints can be made to any member of staff or contractor, in the following ways:

- email
- visiting an office
- telephone
- completing a customer complaints form

- Through a feedback survey
- Face to face to any operative
- Through a third party e.g. an advocate, staff member or support worker, MP Councillor
- Social media including Twitter, Facebook, Live Chat & WhatsApp

Where a complaint is received via social media, whilst it will be acknowledged using that same channel, we will contact the customer requesting that they provide contact details to follow up the complaint. If the customer does not provide contact details that may impact on our ability to respond to the complaint.

For all other complaints, our method of communication will be in line with the customers preferred method of communication.

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

#### **4.4 Complaint stages**

We will always try to resolve a dispute as quickly as possible with our customers and recognise that not all customers will wish to follow a formal process and may simply want an issue resolved. We will look to early and local resolution of issues.

We have a two stage formal complaints procedure coordinated by our Customer Resolution Team:

##### **Stage 1**

Where the complaint is not being resolved informally, the complaint will be logged and acknowledged within five working days. The customer will be contacted by telephone or in person (unless contact has been requested in an alternative form) to confirm the full details of the complaint in order to assist the investigation. A full written response to the complaint will then be sent out as soon as possible and in any event within 10 working days. Where it is not possible to provide a full response within 10 working days we will contact the customer to explain this, setting out the reasons why and when they can expect to receive the response. On occasion it may be necessary to extend the date for a full response by up to a further 10 working days. We will not exceed this additional time estimate without good reason.

## Stage 2

Where the customer is dissatisfied with the decision made at stage 1, they can request for the complaint to be escalated to stage 2. This request should be made within 10 working days of the stage 1 response. Requests made outside of this time will be considered by the Director of Operations.

Where a request for escalation to stage 2 is made, careful consideration will be given to determine if it warrants a review at stage 2 of our process.

Where escalation to stage 2 is denied, we will make clear that the previous response was a final response to the complaint and will provide information on the Housing Ombudsman service. We will also provide full reasons for our decision.

At stage 2, the review will be carried out by the appropriate next level manager who has not previously been involved in the complaint, usually a Head of Service or Assistant Director. This manager will not have previously been directly involved in the complaint investigation.

We will ensure that the customer is given a fair opportunity to set out their position and comment on any adverse findings before a final decision is made.

The allocated staff member will aim to respond to the stage 2 response as soon as possible and in any event not more than 20 working days from the request to escalate. Where it is not possible to provide a full response within 20 working days we will contact the customer to explain this, setting out the reasons why and when they can expect to receive the response. On occasion it may be necessary to extend the date for a full response by up to a further 10 working days. We will not exceed this additional time estimate without good reason. We will deal with all points raised in the complaint and provide clear reasons for any decisions.

## 4.5 Outcomes and Remedies

Complaints can be resolved in a number of ways. The outcome of a formal complaint will be:

- Upheld – this means that the customer’s reasons for dissatisfaction with Origin are justified
- Partially upheld – this means that some of the customer’s reasons for dissatisfaction are justified but that some of the issues or claims raised by the customer are unfounded, unreasonable or not the fault of Origin
- Not upheld – this means that none of the customer’s reasons for dissatisfaction with Origin are justified.

#### 4.6 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 a customer at the end of the internal complaints investigation (including complaints where we refuse to escalate) they will be advised that they can contact a designated person in their local authority area to help find a solution. The designated person can be an MP, a local councillor or a Tenant Panel. If the designated person cannot help they can refer a complaint to the Ombudsman.

#### 4.7 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.

#### 4.8 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. A Head of Service and any Executive Director have the authority to exercise this discretion. Actions taken may include (this list is not exhaustive):

- not investigating a complaint as for example it has been investigated before or not escalating a complaint through all 2 stages as detailed below
- forwarding the complaint through our procedure more quickly than usual;
- 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.

We will always provide explanations to customers where we have exercised our discretion.

#### 4.9 Refusal to Escalate a Complaint

In some circumstances following an investigation at stage 1 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.

When contacting the complainant with a decision not to escalate, they will be offered recourse to a designated person or the Housing Ombudsman service. An example of where we may refuse to escalate a complaint is where the customer has failed to provide reasons for disagreeing with the stage 1 response.

#### **4.10 Unreasonable Behaviour**

We recognise that people who are unhappy about an issue may show signs of stress or frustration when reporting a complaint and that such behaviour may be out of character; however, some complainants are so angry and / or persistent that their behaviour results in unreasonable demands on, or behaviour towards our staff. Where a customer has become unreasonably persistent, abusive or vexatious we reserve the right to take appropriate action for that particular situation which may include limiting who the customer can contact within Origin or stopping the investigation into the complaint where the circumstances merit this approach. Further details are set out in our Unacceptable Behaviour policy. Examples of unacceptable behaviour 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.

## **5 Equality and Diversity**

- 5.1 We 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.

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.



## 5 Monitoring

Complaints performance will be reviewed on a regular basis by the Senior Management Group, Executive, Customer Services Committee and Board. 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

### 5.1 Monitoring & Evaluation

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.

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We monitor the number of complaints and the service areas to which they relate. We also monitor customer satisfaction with the complaints handling process through surveys.

All complaints and expressions of dissatisfaction are recorded and 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.

We will report back on wider learning and improvements from complaints to our customers, managers and staff.

## 6 Communication of Policy

### Publicising the 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)
- Information on the Origin website

The policy will be communicated to staff through:

- Articles and guidance on the intranet
- Regular training
- Discussion at team meetings.

## 7 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.

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.