



Complaints Policy

Department: Customer Experience

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Version Control

Versions prior to 2020 have been removed from this table

Item	Reason for Change	Officer/Manager	Version	Date
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
5	Change to stage 2 deadline of 20 days inline with HO guidance	Customer Relations & Assurance Manager	0.5	October 2022
6	Addition that Stage 1 can be signed off by Customer Relations & Quality Assurance Manager	Customer Relations & Assurance Manager	0.6	October 2022
7	Scheduled review of the policy	Head of Customer Experience	0.7	November 2022

Related Documents

Customer Experience Strategy
Equality and Diversity Strategy
Unacceptable Behaviour Policy
Reasonable Adjustments Policy

Legislative and Regulatory Framework

This policy reflects the Housing Ombudsman Complaints Handling Code and meets the requirements of the Regulator of Social Housing's Consumer Standards.

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 procedure and through using the guidance set out by the Housing Ombudsman in their 'remedies' guidance.
- 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 A 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** – e.g where the policy and the way it's been applied is fair and consistent with the policy itself. We will set out how we have come to this decision and provide further support. advice or clarity, where required.
- **Requesting a service for the first time** – e.g. reporting a repair or notifying us of an anti-social behaviour (ASB) incident.
- **Anti Social Behaviour** – Reports of anti-social behaviour will not usually be managed through our complaints procedure and will instead be managed through our ASB procedure. We will only investigate a complaint about ASB if it's in relation to the way it was handled by a member of staff.
- **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 Unacceptable behaviour policy.** See also Unacceptable Behaviour section below.

- **Legal proceedings have 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.
- **Complaints relating to Service Charges from Leaseholders** – These are best managed through the First Tier Tribunal although we will always try to resolve these concerns informally, where we can.
- **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, on the Ombudsman's website or by requesting this information from a staff member.

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 staff member or Origin representative
- 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) 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 also encourage any customer using the complaints process to make us aware of any reasonable adjustments that they may require, in order to make the complaints process more accessible to them. The officer investigating the complaint will be able to discuss this on a case by case basis.

We have a two stage formal complaints procedure coordinated by our Customer Relations 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.

There are times where we may provide our formal stage 1 (or stage 2) response but there are still practical matters, such as a repair that is awaiting a part, that are still outstanding. In this instance, we may send the formal stage 1 response, including an offer of compensation if appropriate, but we are committed to working with the customer until all of their concerns are resolved.

The quality and standard of stage 1 responses will be overseen by the Customer Relations and Quality Assurance Manager who will regularly carry out quality control and assurance on complaints.

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 by providing us with details of why they would like the complaint escalated and what outcome they are

seeking. 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 Head of Customer Experience and/or Director of Resident Services.

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. If the only element that the customer remains dissatisfied with is compensation, we will carry out a review of the compensation amount offered rather than a full stage 2 investigation. A compensation review will be undertaken by a senior manager, such as a Head of Service, who would otherwise be involved in reviewing the complaint at stage 2.

A stage 2 complaint investigation will usually focus on:

- Whether all elements of the stage 1 complaint were investigated and considered appropriately.
- Whether relevant policies or procedures relating to the service area were followed
- Whether the way in which the complaint was handled was fair and appropriate.
- Whether there is any further information or evidence that is now available, that was not supplied or available at the time of the initial investigation.
- Whether appropriate redress and apology was given, if required.

There may be some instances where we deny a request to escalate the complaint to stage 2 and the reasons for this are set out in section 4.9 of this policy. We will not usually escalate a complaint to stage 2 if the original complaint was fully investigated, where we followed our own policies and procedures correctly and all of the points of the complaint were addressed, even if the customer remains dissatisfied with the overall outcome. We cannot consider a complaint being escalated to stage 2 without the complainant providing clear reasons as to why this is being requested and what outcomes are being sought. A complaint must have gone through stage 1 of our complaints procedure and cannot enter the complaints process at stage 2.

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. We will decide whether we can accept a stage 2 within 5 working days and will carry out our investigation, and provide the customer with a response, within 20 working days. In the very limited circumstances 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. In this circumstance, we may extend the time we have to investigate and respond to the complaint by a further 10 days and we will agree a revised date with the customer. 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 The Housing Ombudsman Service

Whilst we are committed to working in partnership with our customers, we recognise that there may be instances where customers feel the need to seek external support or advice in getting their complaint resolved. The Housing Ombudsman service can provide support if we have refused to investigate a complaint, have refused to escalate a complaint from stage 1 to stage 2 or if a customer remains dissatisfied after we have concluded our stage 2 investigation.

Contact details for the Housing Ombudsman can be found on our website, on the stage 2 complaint response letter and are set out below:

E-mail: info@housing-ombudsman.org.uk

Website: [Contact us - Housing Ombudsman \(housing-ombudsman.org.uk\)](http://housing-ombudsman.org.uk)

The Ombudsman do not look at the original problem, for example, they do not determine whether there was anti social behaviour or if a home has mould. Rather, they look at whether a landlord has dealt with the reported problem in line with the

tenancy agreement, lease or its own policies. The Housing Ombudsman Service will usually only investigate complaints whereby there is a landlord and tenant relationship.

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.

Where a complaint is made about the conduct of a staff member, the complaint will usually be investigated by their manager as opposed to the Customer Relations Team. Support will be given to the investigating manager, if required, by the Head of Customer Experience to ensure that the complaints policy and procedure is applied consistently.

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

There may be times where it would not be appropriate to escalate a complaint to stage 2, if the customer is still dissatisfied after the stage 1 response. An example of this could include where the outcome that is being sought is not within our power or ability to deliver it. The reasons why we may not escalate a complaint are the same reasons as to why we would not accept a complaint and are outlined in section 4.2 of this policy.

We will not unreasonably refuse to escalate a complaint and if there is evidence that our complaints policy has not been correctly applied, we will investigate the complaint at stage 2.

The decision to refuse escalation can only be decided by the Head of Customer Experience or by a Director. The Head of Customer Experience or Director will use the criteria set out in this policy to satisfy themselves that the complaint has been appropriately investigated before deciding whether to refuse the escalation.

When contacting the complainant with a decision not to escalate, they will be provided with information about how we reached that conclusion as well as being supplied with information on how to contact the Housing Ombudsman Service.

4.10 Unacceptable 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

Senior Managers regularly meet to discuss, review and implement lessons learnt from complaints so that we're proactively reducing the need to complain and improving customer satisfaction with the services we provide.

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.

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.

The Customer Relations and Quality Assurance Manager undertakes monthly quality assurance on complaint handling to ensure that we are investigating complaints in the most thorough, robust and effective way possible.