



**Policy: Complaints Policy**

**Approved by:** Leadership Group / BHA Board

**Date Approved:** May 2021

**Last Full Review:** October 2018

**POLICY STATEMENT:**

Broadland believe that excellent customer service is critical to ensure our success as a business, and we are committed to providing the best possible service we can.

We treat complaints seriously and we are committed to providing a supportive complaint handling service which meets the needs of our tenants and acts upon learning and development to prevent future service failures. We aim to get things right first time, but recognise that sometimes our customers may feel they have cause to complain about the service they have received.

By resolving complaints quickly, it allows us to address the issue before it becomes worse for the benefit of our tenants, and to minimise the amount of resource and time that can be taken to remedy if not resolved promptly.

Our Complaints Policy explains our approach to handling complaints and provides clear information on how individual complaints will be managed.

This policy sets out Broadland's (BHA) approach to managing complaints and resolving disputes. The policy takes into consideration The Housing Ombudsman's Complaint Handling Code (published July 2020) and applies to all new complaints from the policy approval date.

***This policy has been developed to ensure BH complies with current legislation, regulatory expectations and good practice, and will be subject to ongoing review.***

**DEFINITION OF A COMPLAINT**

A complaint is defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by BHA or those acting on our behalf, affecting an individual resident or group of residents.

**Exclusions:**

- Where legal proceedings have commenced, and due to the complexities that are likely to delay any resolution within our set timescales, these cases will be recorded and monitored outside of our complaints procedure.
- A complaint may not be registered upon grounds detailed within our Unreasonable Complaints Policy.

Policy Name: Complaints Policy

Latest Revision: May 2021

Revised by: Stephanie Davis

Verified by: Louise Archer,  
Executive Property Director

---

**SCOPE:****Accessibility and Awareness**

- We will provide clear and accessible instructions detailing our complaints process and make various channels available for complaints to be registered.
- Details of BHAs Complaint policy and process will be publicised on a quarterly basis using various channels which will include learning outcomes.
- We will comply with the Equality Act 2010 and ensure our policies and procedures are adapted to meet individual needs.
- BHA will advise tenants throughout the life of the complaint of their right to access the Housing Ombudsman Service and the opportunity to engage with the Ombudsman Dispute Support Advisors.

**Fairness in Complaint Handling**

- BHA will provide a simple, fair and open process for anyone affected by the Associations actions to register their satisfaction or dissatisfaction with the service we provide.
- Customers will be given every opportunity to explain their point of view and the outcome they are seeking before a decision is reached.
- BHA will manage tenant expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic.
- A complaint investigation shall be conducted in an impartial manner, seeking sufficient reliable information from both parties so that fair and appropriate findings and recommendations can be made.
- We will retain the right not to consider a complaint if it is believed that it is being made in an unreasonable way (such as repetitive, vexatious or malicious) or manage the complaint outside the usual process and timescale if this is deemed to be more appropriate.
- We will carry out this policy by having clear written procedures and regular communication with our tenants.
- We will set out in our policies and processes the circumstances in which BHA can exercise discretion in how to respond to a complaint and who has the power to exercise that discretion in line with the Complaint Handling Code.

**Community Complaints**

BHA recognises that there will be occasions when customers will come together to raise complaints that are affecting them as a community. We know from experience that community complaints can be more complex and require more resource and may require input from external partners. This is where BHA may exercise discretion and extend the published timescales for investigating and responding to a complaint. When dealing with community complaints we will:

- Acknowledge that community complaints may be received in many different ways, including petitions, at engagement events, as a result of media coverage or by initial contact from one customer speaking on behalf of their communities to get their voices heard.

- A senior manager who deals with formal stage 1 complaints can use their discretion to decide that a complaint should be treated as a community complaint and will make the appropriate Executive Director aware of this decision.
- Upon being made aware of a community complaint, we will decide the best way to investigate the complaint, this may vary from individual visits to complainants to holding a community event, this is dependent on what the complaint is about.
- We will keep the complainants updated from the outset about anticipated timescales and ensure they are updated throughout the investigation; this may be individually or through an action plan depending on the type of complaint.
- Where customers raise individual complaints through the community complaints process that only affect them, these will be dealt with separately and will follow our published timescales.
- Community Complaints are treated as a stage 1 complaint and can still progress to the stage 2 panel if they remain dissatisfied after the stage 1 response.

### **Putting Things Right**

- We will aim to resolve complaints as quickly and effectively as possible, and in line with the Housing Ombudsman's guidance. We will ensure the resolution of customer's complaints sitting at the centre of the process.
- We will make decisions concerning all complaints only after making a proper investigation of the facts, and where appropriate, will always inform complainants in writing and give reasons for decisions.
- Compensation, or reimbursement of out of pocket costs, will be paid in line with our Compensation Policy, however we will also refer to the Housing Ombudsman Remedies Guidance when deciding on the level of compensation to be awarded to ensure our awards are in line with best practice.
- We will develop brief examples of previous compensation decisions, including reasoning so that we grow better internal consistency.
- Where a customer owes the Association any monies in respect of outstanding rent, legal costs, repair charges or any other costs; any compensation awarded will first be credited to the relevant account.

### **Continuous Learning and Improvement**

- The information we receive, however reported, and relating to the expression of dissatisfaction including a Swift Resolution will be recorded to ensure this information is captured to drive service improvements.
- Monitoring and analysis of the complaints will happen on a regular basis, almost daily where required, supported by the Association's IT system that will highlight complaints, the status and next actions to staff.
- We understand that collecting and analysing complaints is only valuable if it leads to improvements in service delivery. We will ensure processes are updated and monitored to determine the impact of any improvements.
- Compliments and complaints will be used as an important source of information about the quality of service provided by the BHA. We will proactively share this information across the Association, to promote a culture of improving service delivery.
- We will use performance targets for responding to complaints and will report and monitor our performance against these targets.

- We will publish complaint performance information in a range of sources not limited to, but including; within our Annual Review, tenant publications and on our website.
- Outside our own complaints received, we will also horizon scan to review published sector wide complaints and learn from our peers to determine whether additional improvements could be implemented prior to receiving a complaint.

***BHAs Complaints Procedure gives a detailed account of how this Policy will be implemented.***

## **KEY STAFF RESPONSIBILITIES:**

### **Board**

The Board is responsible for ensuring the continued development of the Group and that all policies and procedures are adhered to. Board members will be involved in Stage 2 complaint panel meetings.

### **Senior Management**

The Senior Management Team are responsible for ensuring that policies and procedures are followed by all concerned, promoting an anti-discriminatory environment for all to work.

### **Staff**

Employees are responsible for ensuring they are fully aware and adhere to the terms set out in the policy.

### **Key Staff Roles**

BHA has a Group Business Improvement Advisor and a Customer Care Manager, both of whom have specific roles in dealing with dissatisfaction and complaints.

## **OTHER DEFINITIONS**

**BBS:** Broadland Business Systems

**Complainant:** The person or person's raising the Service Complaint

**Swift Resolution:** Where a customer or any person using or directly affected by BHA services, questions the service they have received, but there a quick and acceptable resolution.

## **RELVANT KEY LEGISLATION AND RELATED DOCUMENTS: (not limited to)**

<b>Legislation</b>	<b>Documents</b>
Housing Ombudsman's Complaint Handling Code Equality Act 2010	BHA Complaints Procedure

Policy Name: Complaints Policy

Latest Revision: May 2021

Revised by: Stephanie Davis

Verified by: Louise Archer,  
Executive Property Director

	<p>BHA Managing Unreasonable Complaints Policy and Procedure</p> <p>BHA Compensation Policy</p> <p>Tenancy Agreement</p> <p>Equality, Diversity and Inclusion Policy and procedure</p> <p>RSH Tenant Empowerment Standard</p>
--	---

**EIA – EQUALITY IMPACT ASSESSMENT:**

A full EIA has been completed.

- IMPORTANT PRINCIPLES:**
- We recognise that there will be times when staff know that a customer has not been provided with a good service, but they have chosen not to make a complaint. When this happens, we will have a pro- active conversation with the customer advising that the service has not met our standards and provide them with details of our complaints process.
  - A customer can escalate their service complaint to the next stage of BHA’s complaint process regardless of the outcome.
  - If a complaint is not resolved to the customers satisfaction, we give them the opportunity to tell us. If a customer makes us aware that they are not happy with our response, we will escalate the complaint to the next stage of our process.. The customer does not have to request this, they only have to indicate that they remain dissatisfied with the outcome.
  - When escalating a complaint, we will tell customers that we are going to do so, if a customer does not consent to this, we will not escalate the complaint, however we will advise the customer that there can be no continued correspondence on the matter, and they will not be able to escalate their complaint to the Housing Ombudsman and the complaint will be closed.
  - If a customer continues to pursue communication about a complaint where they have chosen not to escalate it, they will be advised that continuing to do so may lead to BHA using our Unreasonable Complaints Policy.
  - We understand that some customers may find the stage 2 panel process daunting, and we will give the tenants the option of submitting evidence which can be considered without their attendance if that is their preference. Our priority is that

customers feel they have had every opportunity to be heard in a way that suits them.

- We encourage customers to attend panel hearings, so we can hear about their complaint and talk with them. We understand that some customers may require an advocate to accompany them to help communicate with us or provide some extra support. We would treat this as a reasonable adjustment at any stage of our complaints process.
- When a customer is receiving support from an advocate at a stage 2 panel hearing, we will provide the customer and their advocate with guidance ahead of the panel to ensure the customer is supported and ensure their views are being represented.
- BHA does not want any barriers to customers being able to make a complaint. We can assist customers in identifying an independent advocate where they do not have one. We will also provide translation services for any customers who require them.