



Ashley Community Housing Ltd

Complaints Policy

1. Background

Ashley Community & Housing Ltd (ACH) always aims to give its tenants and clients the best possible service. We try to ensure that matters go smoothly all the time without problem.

But sometimes ACH makes mistakes or circumstances beyond our control affect our service.

You can help us to put things right by immediately letting us know where our service falls below our usual standards and how we can improve it. We treat all complaints seriously, promptly and in confidence. This policy, the Housing Ombudsman Complaints Handling Code, and contact details for the Ombudsman can be accessed via our website: <https://ach.org.uk/complaints>

2. Associated Policies

- Property Management policy
- Health & Safety policy
- Client Engagement policy
- Eviction Policy
- Antisocial Behaviour policy
- Accommodation Allocation policy
- Equality & Diversity Policy
- Internal Audit Policy

3. Relevant Legislation

The Regulator of Social Housing (RSH) has responsibility for the regulation of social housing providers in England. The RSH has set out a regulatory framework which includes the regulatory standards that providers must meet. This includes the Tenant Involvement and Empowerment Standard which outlines the regulatory standards for complaints handling.

The key areas of legislation for this policy are:

- Housing Act 1996 and 2004
- Landlord and Tenant Act 1985
- Equality Act 2010
- Localism Act 2011
- General Data Protection Act 2018
- Housing Ombudsman Complaints Handling Code 2022
- Tenant Involvement and Empowerment Standard

4. What is a Complaint?

The Housing Ombudsman Service 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 group of residents.’

How do I make a complaint?

- By telephoning us.
- By email to info@ach.org.uk.
- By letter or visiting to the nearest office.
- By visiting our website (www.ach.org.uk/advice-support)

What will ACH do?

- Take your complaint seriously and aim to put things right there and then.
- Take full details from you and investigate the matter.
- If unable to resolve the problem straight away, do it as quickly as we can.
- Be polite, helpful and professional.
- Use lessons learned from complaints to improve our service.

We will never treat you differently for making a complaint, and a member of staff will always help you in making a complaint if needed. If you feel the need to do so, you are welcome to make a complaint via a third party such as a friend, family member, MP, Councillor or other advocate.

Roles, Responsibilities and Duties

This policy applies to all colleagues and is approved by our Board to ensure it is current and complies with our legal and moral obligations. Heads of Service and their departmental managers ensure the policy is followed and adherence to the policy is required by all colleagues.

In line with the Housing Ombudsman Complaint Handling code, there are two roles with defined responsibility for complaints handling:

Role	Remit	Our Arrangements
Senior Lead Person responsible for complaint handling	This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.	Head of Housing & Support

Member Responsible for Complaints ('the MRC'); a member of the governing body	Lead responsibility for complaints to support a positive complaint handling culture. The MRC is responsible for ensuring the GSA Board has information that provides insight on complaint handling.	Housing Sub Committee Chair person
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5. Details of the Complaint Procedure

Our Commitment

ACH is committed to providing all tenants with a high-quality service in all areas of our work, and we try to always act in a fair, helpful, and efficient manner. Some of the time, we get things wrong, and we want to hear about it so we have the opportunity to put it right.

When dealing with complaints, ACH will:

- Make it easy for you to make a complaint.
- Give you a prompt response.
- Sort out the problem efficiently and fairly.
- Be fair, polite and helpful.
- Help you fill in the complaints form if you have difficulty.
- Keep you up to date with the progress of your complaint.
- Treat your complaint confidentially.
- Give you the right to a second opinion.

Our staff and any third parties tasked with handling a complaint will:

- Take a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;
- Take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and
- Act within the professional standards for engaging with complaints as set by the Housing Ombudsman and any other relevant professional body.

Who can make a complaint?

- Anyone living in a property owned or managed by us, or anyone acting on their behalf and with their consent.
- Anyone who wants to receive a service from us can also complain, for example – someone applying for housing.
- People who live next door to one of our properties can complain about the behaviour of our tenants, residents and their visitors, and about any damage caused to their property by lack of repair to our property.

We will not consider complaints about the fact that we own or lease a property in a particular area or street.

When can I use the complaints procedure?

You can use the complaints process when you have told us that you feel something is wrong and we have not put it right. It gives you the opportunity to have put right something we should have done.

Why might you wish to complain?

You may want to complain because:

- We have failed to carry out our legal duties as your landlord;
- You feel that our policies or practices are unfair;
- You believe that we have not carried out our own rules properly or have failed to act efficiently in delivering a service;
- You feel that a member of staff has behaved improperly or has been impolite.

When can't you complain?

Complaints will be accepted or rejected at our discretion and we consider the circumstances of each complaint individually, but in general you cannot complain about:

- Anything that happened over a year ago, unless you have only just become aware of the situation;
- Matters currently being dealt with by the Ombudsman, or where legal action has begun;
- Matters that have already been considered under our complaints process;
- Everyday matters such as chasing repair requests;
- Complaints by one tenant about another that are regarded as a neighbour dispute or anti-social behaviour issue.

If we decide that a complaint is not suitable for our complaint process we will inform you of the reasons for this. It will be your right to contest our decision with the Housing Ombudsman.

6. How to Make a Complaint?

We always try and resolve customer issues as soon as possible, and you do not have to use the word “complaint” for it to be treated as such. You can raise an issue with any member of ACH staff, and they will make sure that it is passed to the appropriate person for you.

Before we consider the matter as a formal complaint we will try to put it right anything you feel has gone wrong as quickly as possible. It is often most effective to resolve this is through a service request. Process flowcharts for distinguishing between service requests and formal complaints can be found in Appendix A of this policy.

Service Requests

A service request is when you ask us to act to put something right, for example to carry out a repair or investigate antisocial behaviour you are experiencing in your home. We will only resolve an issue through a service request with your full agreement. Although they are dealt with outside of our Complaints Policy, ACH treats service requests with utmost importance and records, monitors and reviews them regularly.

If you remain unhappy, your issue will be escalated to our two stage complaints procedure. Escalation will not affect your original service request or our efforts to address it.

Formal Complaint – Stage 1

If your first contact is unsuccessful, we will offer you the opportunity for the matter to be considered as a Formal Complaint.

At this stage your complaint will be dealt with by a manager, and you should put your complaint in writing. You can either write a letter or use our Complaints Form. If you need help in completing this form, a member of staff will assist you.

We will acknowledge your complaint within 5 working days.

We will respond to your complaint within 10 working days of acknowledgement, and our response will include:

- The complaint stages
- The complaint definition
- The decision on the complaint
- The reasons for any decisions made
- The details of any remedy offered to put things right
- Details of any outstanding actions
- Details of how to escalate the matter to stage two if you are not satisfied with the response
- Your right to seek advice and support from the Housing Ombudsman Service, including the Housing Ombudsman contact details

Where the complaint is complex and we are not realistically able to resolve it within 10 days we will contact you to agree a revised timescale and will regularly update you with progress made during the extended investigation period. ACH will maintain responsibility for resolving your complaint regardless of any third parties (such as contractors) that are directly involved.

If you are unhappy for us to extend the timescale we will close the complaint, issue our findings in writing and provide details of how you can escalate your concerns to stage 2 or to the Housing Ombudsman.

Formal Complaint – Stage 2

You have the right to request a review if all or any part of the complaint is not resolved to your satisfaction at stage one. You may wish to involve an external organisation to assist you with resolving your complaint.

A request for stage two must be sent to us within 10 working days from the date of our stage one response letter, however any reasonable request to escalate after this timescale will be considered.

We will acknowledge requests for a review within two working days.

A review will be carried out by an independent member of staff who has not been involved in the stage one investigation – usually a manager, senior manager or director. They will contact you to understand the outstanding issues and the outcome you are seeking before responding to your complaint within 10 working days.

As for stage 1, where the complaint is complex and we are not realistically able to resolve it within 10 days we will contact you to agree a revised timescale and will regularly update you with progress made during the extended investigation period.

If you are unhappy for us to extend the timescale we will close the complaint, issue our findings in writing and provide details of how you can escalate your concerns to the Housing Ombudsman.

All stage two responses must have approval by the CEO, and we will write to you to confirm our findings and outcome of the review. This will include:

- The complaint stage

- The complaint definition
- Outcome of our investigation
- Reasons for any decision including any relevant policy, law, and good practice.
- Details of any remedy/compensation to put things right.
- Details of any outstanding outcomes
- Details of how to escalate to the Housing Ombudsman if you remain dissatisfied.

The following text will be included in our correspondence:

“The Housing Ombudsman can be contacted for advice and information at any point during the complaints process. Details for the Housing Ombudsman can be found on ACH’s website www.ach.org.uk or by contacting them at www.housing-ombudsman.org.uk”

If you are not satisfied that your complaint has been resolved

Upon completion of our mandatory stage one and two processes, you may refer your complaint to the Housing Ombudsman for independent review.

The Ombudsman will only consider complaints that have been investigated through the above stages and they will try to sort out most complaints informally, but if this is not possible, they will either:

- Propose mediation or arbitration; or
- Start a formal investigation.

ACH supports the Ombudsman’s role and is committed to fully co-operating with the Ombudsman.

The Ombudsman can be contacted at:

- Housing Ombudsman Service, 81 Aldwych London WC2B 4HN
- www.housing-ombudsman.org.uk

What happens if a complaint is upheld?

Where our Stage 1 or Stage 2 investigations find that your complaint should be upheld, we will act to resolve the complaint at the earliest possible opportunity. This may include ACH:

- Apologising;
- Acknowledging where things have gone wrong;
- Providing an explanation, assistance or reasons;
- Taking action if there has been delay;
- Reconsidering or changing a decision;
- Amending a record or adding a correction or addendum;

- Providing a financial remedy;
- Changing policies, procedures or practices.

What happens if a complaint is not upheld?

If a complaint is not upheld, we will still try to reach an agreement, even if all procedures have been followed correctly. We always provide a full written explanation of why a decision is reached.

7. Equality and Fairness

ACH will make reasonable adjustments to our service to ensure that no one is disadvantaged in using this policy. We will discuss with individuals their specific needs and keep them under review, but some examples could be:

- Providing information and responses in large print on request.
- Allowing extra time to respond in timescales.
- Providing a language interpreter.
- Monitoring customer access and satisfaction in all areas.
- Providing additional support for customers with communication or learning disabilities.
- Providing additional support for customers with physical/mental health conditions.
- Providing support to people who have some other vulnerability.

8. Monitoring and Learning

We report quarterly to our Board through our performance reports. This includes a summary of complaints by service areas including any learning and service improvements.

We will produce an annual complaints performance and service improvement report which will be reported to the Board and published on our website, along with the Board's response. The report will include the following:

- Annual self-assessment against the Housing Ombudsman Complaint Handling Code
- A qualitative and quantitative analysis of complaint handling
- Summary of complaints we have refused to accept
- Any findings of noncompliance with the Code by the Ombudsman
- Any service improvements made as a result of learning from complaints
- Any actions following any annual report about performance from the Ombudsman
- Any actions following relevant reports/publications produced by the Ombudsman

We will conduct root cause analysis on complaints received, sharing recommendations and learning from complaints to drive service improvements.

We will report each year to all customers on our performance regarding complaints

9. Quality Assurance

Adherence to this policy is monitored by internal quality audits. This covers both our adherence to complaint timescales and the quality of complaint responses. Where required, and in full compliance with General Data Protection Regulations, we will provide external agencies with data in connection with the policy. We also invite you and all complainants to complete satisfaction surveys when your complaint has been investigated and responded to.

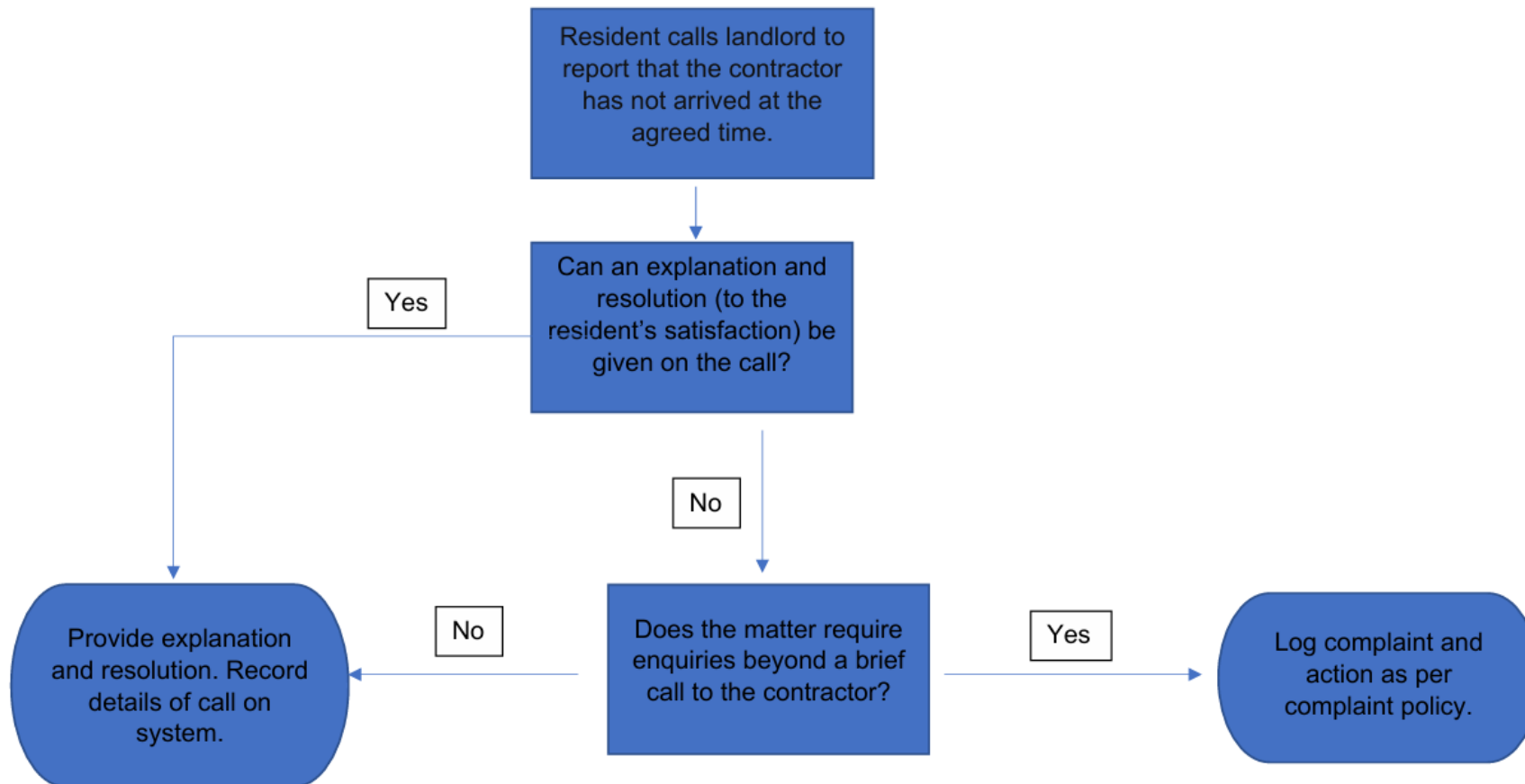
10. Communication, Training and Implementation

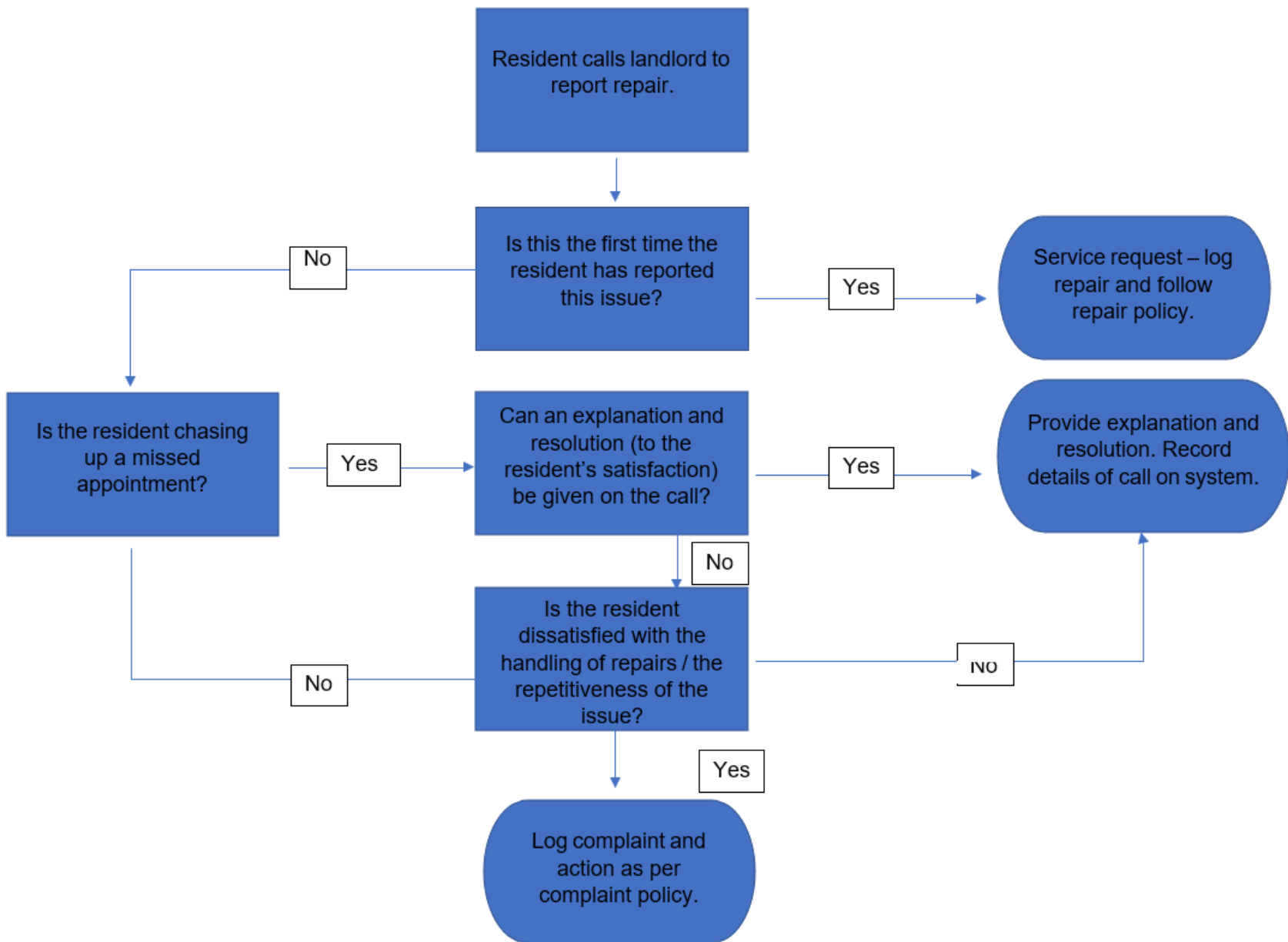
The policy is communicated to all colleagues who are involved in the receiving and management of complaints. It is available to all colleagues on our internal intranet and is published on our website. Colleagues will receive appropriate training on this policy and associated procedures

11. Self-Assessment

We will conduct a self-assessment against the requirements of the Housing Ombudsman Complaint Handling Code annually. The reporting of complaints handled within the Code timescales as part of the self-assessment has been aligned to the requirements of the RSH Tenant Satisfaction Measures. Our submission to the RSH will be published on our website.

Appendix A: Service request or complaint – flow charts





Resident calls landlord to report repair.

Is this the first time the resident has reported this issue?

No

Yes

Service request – log repair and follow repair policy.

Is the resident chasing up a missed appointment?

Yes

Can an explanation and resolution (to the resident's satisfaction) be given on the call?

Yes

Provide explanation and resolution. Record details of call on system.

No

Is the resident dissatisfied with the handling of repairs / the repetitiveness of the issue?

NO

No

Yes

Log complaint and action as per complaint policy.

