



Complaints

Policy Statement

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1. Purpose of the Policy

Denbigh Methodist Housing Association recognises that all residents, service users and members of the public can make complaints about our organisation or the services we offer.

This policy will set out our approach to handling complaints and detail the procedure that we will follow to address, manage, and resolve complaints.

Whilst handling complaints, Denbigh Methodist Housing Association takes a zero-tolerance approach to threats and abuse or intimidation of our staff, contractors and third parties. This includes through the use of phone calls, text messages, social media, and other forms of electronic communication, as well as in-person behaviour.

2. Scope of the Policy

This policy details the complaints procedure that we will abide by and offer to all residents living in accommodation that is owned or managed by Denbigh Methodist Housing Association, as well as to any other service users and the general public.

All members of staff, volunteers, contractors and third parties should use and abide by this policy. This policy applies where Denbigh Methodist Housing Association provides a service to residents and any other service users.

This is an overarching policy that applies across Denbigh Methodist Housing Association.

3. Policy Objectives

- Outline how residents and service users can make complaints and how we will support them to do so
- Outline how Denbigh Methodist Housing Association will fairly deal with complaints (and keep the complainant informed during the process)
- Outline how Denbigh Methodist Housing Association aims to resolve issues for residents and service users

4. Definitions

A complaint is defined as:

“An expression or dissatisfaction by a resident, service user or a member of the public about the standard of service provided by Denbigh Methodist Housing Association or the actions or lack of action taken by the organisation (or those acting on our behalf such as contractors or third parties)”.

A complaint may be raised due to (but not limited to):

- Failure to provide a service or an unreasonable delay in providing the service
- Failure to provide a service to the relevant standards
- Failure to fulfil legal obligations
- Failure to deliver services within procedures, policies, and guidelines
- Bias, prejudice or unfairness when delivering services
- Unreasonable delays in responding to requests or enquiries
- A repair that has not been carried out to the agreed standard or within the agreed timeframe
- Complaints about services provided by a contractor or third party
- Complaints about the behaviour of members of staff, contractors or third parties

A complaint is not deemed to be (but not limited to):

- A first-time request for a service
- A first-time request for information or explanation of information
- A safeguarding concern that is raised about an adult or child (see Safeguarding Policy)
- A report of antisocial behaviour (see Antisocial Behaviour Policy)
- A complaint relating to a decision that has been made in line with a policy (such as an increase in rent or service charges)
- An issue raised about a matter that is currently subject to legal proceedings
- A complaint that has been raised outside reasonable timeframes e.g., four months after the issue has occurred

If a complaint is not accepted, Denbigh Methodist Housing Association will provide a written explanation and explain how the complainant may challenge the decision (e.g., by contacting the Housing Ombudsman)

5. Policy Detail

Who can make a complaint?

Any resident who lives in a property that is owned or managed by Denbigh Methodist Housing Association may make a complaint. Any person who receives a service from Denbigh Methodist Housing Association may make a complaint.

Any member of the public who does not have a legal relationship with Denbigh Methodist Housing Association may make a complaint, but this will only be considered at the initial stage of the complaints procedure.

Where needed, a resident, service user, or member of the public may make a complaint via an advocate. This may be a friend, relative or an advocacy service. When a complaint is received via an advocate, the complainant's written consent will be sought. If a complaint is received via an Advocacy Service (such as the Citizen's

Advice Bureau) or from an MP or Counsellor, it will be assumed that the complainant has provided consent.

Making a complaint

Complaints may be made by phone or in writing using the following details:

In writing:

Denbigh Methodist Housing Association
Notting Hill Methodist Church
240 Lancaster Road London W11 4AH

By phone: 0207 229 7728

All complaints will be handled via the same procedure regardless of how they have been received.

Stages of Complaints

When a complaint is received, it will be recorded and opened at Stage 1 of our Complaints Procedure. If the complainant is not satisfied with the response at Stage 1, the complaint will be escalated to Stage 2 of our Complaints Procedure.

Stage 1

- Once a complaint is received, the member of staff who has received the complaint, will provide a formal, written acknowledgement of receipt within 5 working days.
- We aim to respond to the complaint within 10 working days after the acknowledgement of the complaint has been sent. In some circumstances, this timescale may need to be extended due to extra time needed to investigate. If the timescale is to be extended, we will inform the person who made the complaint and advise on the reasons for the extension and the date that we will provide a response. We will aim for this to be no later than 20 working days after the initial acknowledgement of complaint has been sent.
- If our response includes proposed actions that we may need to take, we will provide a reasonable timescale and advise on who is responsible for those actions. This will be detailed in our response.
- Within our response, we will detail how to escalate the matter to Stage 2 if the complainant is not satisfied with our response and/or proposed actions. This only applies to residents and service users.
- If a resident or service user wishes to escalate a complaint to Stage 2, we require them to contact us within 20 working days of receiving our response. If we do not receive a response during this timescale, it will be assumed that they do not wish to take the matter further and we will close the complaint.

- If a complaint is not accepted by us, we will write to the complainant to explain the reasons and advise them on how they can appeal the decision via the Housing Ombudsman.

Stage 2

- If a resident or service user is not satisfied with our response to a complaint at Stage 1, they can request an escalation to Stage 2 of our Complaints Procedure.
- At Stage 2, we will re-examine our decision and consider any new information offered. Additional information will only be considered if it is directly related to the complaint that was made at Stage 1.
- We will provide written acknowledgement that the complaint has been escalated to Stage 2 within 5 working days. The letter will detail our understanding of the complaint and the outcome(s) that the resident or service user is seeking.
- We will provide the resident or service user with a full response to the Stage 2 escalation within 20 working days after the acknowledgement of escalation has been sent. This will detail our decision on the review of the complaint, any further actions that we have agreed, and any details of any further information that may need to be provided to us. In some circumstances, it may take an additional 10 working days to complete the review and provide the response. In such instances, we will keep the resident/service user informed and provide a date for our response.
- Once the decision has been provided to the resident or service user, we will give them an opportunity to respond and set out their position.
- If any further actions need to be taken by us, we will advise of the timescales for these actions and who is responsible for completion. These timescales will be separate to the timescales for responding to the complaint.
- If the agreed actions are not completed by us, we will reopen and escalate the complaint.
- If a Stage 1 complaint cannot be escalated to Stage 2, we will provide a written explanation of the reasons why within 5 working days. We will also advise how this may be appealed through the Housing Ombudsman.

A complaint may not be taken forward or escalated to Stage 2 of our complaints procedure if any of the following apply:

- The complainant is displaying unreasonable behaviour (see below).
- The complainant is not engaging with us to resolve the matter and is failing to provide relevant information.

- The issue is a recurring matter and we have previously managed to resolve it.
- The issue has been resolved earlier in the process and no further issues have been raised.

The complainant will be advised of the reasons that their complaint is not being escalated and how they may appeal this (e.g., via the Housing Ombudsman).

Housing Ombudsman

If a complaint is escalated to the Housing Ombudsman, we will cooperate with them according to our statutory duty. This involves providing any requested evidence or information within a 15-day timescale.

The Housing Ombudsman may be contacted in the following ways:

Completing the online complaint form at: www.housing-ombudsman.org.uk

Email: info@housing-ombudsman.org.uk

In writing:

Housing Ombudsman Service
PO Box 152
Liverpool L33 7WQ

Phone: 0300 111 3000

Unreasonable behaviour

Denbigh Methodist Housing Association recognises that distress, annoyance, ill health, and other factors may cause a person to act out of character or display unpleasant behaviour. However, we will not tolerate abusive or aggressive behaviour of any kind towards our staff, contractors or third parties. This includes using text messages, phone calls, social media, posted letters, or in person displays of unreasonable behaviour. Such behaviour may be reported to the police or other agencies.

Where a genuine complaint or issue exists, Denbigh Methodist Housing Association will aim to resolve the complaint but if aggressive or abusive behaviour is displayed, we may restrict the complainant's interactions with our organisation. Any restrictions imposed by us will be clearly communicated in writing to the complainant.

Such actions may include:

- Allowing the complainant to speak to one named member of staff only
- Allowing visits to the office by appointment only
- Communicating with the complainant through a third party such as an advocate, friend, or solicitor
- Allowing telephone calls on certain days and at certain times only

- Only permitting certain methods of communication such as written communication

If the behaviour of the complainant poses immediate or ongoing danger, we may inform the police or other authorities and we may take legal action.

Compensation Payments

Payment of compensation will be considered on a case-by-case basis. Compensation may be paid as acknowledgement of a loss suffered by a resident or service user.

Compensation may be offered in instances such as:

- Failure to deliver a service to the regular standard
- Where a resident or service user has suffered a loss due to a failure in our service
- In recognition for the upset and inconvenience experienced by a resident or service user due to a failure in our service
- In recognition of the time and effort taken to make/escalate the complaint
- As a reimbursement for a replacement product or additional expense incurred by a resident or service user

Data Protection, Storage and Retention

Denbigh Methodist Housing Association will treat all information relevant to each resident or service user in the strictest confidence according to data protection legislation. All data will be stored securely.

Relevant information will only be shared with the complainant's consent unless there are safeguarding or criminal concerns. Where safeguarding concerns exist, the Safeguarding Policy will be followed.

Equality and Diversity

This policy complies with the Equality Act 2010 to ensure that all residents and service users are treated equally without prejudice or discrimination. Denbigh Methodist Housing Association recognises that all residents and service users have the right to make a complaint. If a complaint is made, this will not have an adverse effect on the services that are provided by Denbigh Methodist Housing Association to the resident or service user.

We will also ensure that all residents and service users can easily make a complaint. We will aim to remove any barriers that may hinder a resident or service user from complaining such as English not being their first language, difficulties with literacy or communication, or a disability or health condition that affects their communication. We will aim to provide accessible means for complaints to be made in these instances. We will attempt to speak to complainants in person unless they have requested an alternative method of communication.

6. Appendices

Appendix 1: Legislation and National Standards

- Building Regulations Act 1984
- The Care Act 2014
- The Children Act 1989 & 2004
- Data Protection Act 1998
- Data Protection Act 2018 and subsequent Regulations Housing Act 1996
- Decent Homes Standard
- Defective Premises Act 1972
- Electrical Equipment (Safety) Regulations 2016
- Environmental Protection Act 1990
- Equality Act 2010
- Gas Safety (Installation and Use) (Amendment) Regulations 2018
- General Data Protection Regulation (GDPR) and Data Protection Act 2018
- Health Act 2006
- Home Standard 2015
- Homes (Fitness for Human Habitation) Act 2018
- Housing Act 2004
- Housing Health and Safety Rating System 2006
- Human Rights Act 1998
- Landlord and Tenant Act 1985
- Mental Health Act 1983, 2007
- Protection from Harassment Act 1997
- The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994