



Complaints Handling Policy

COR-POL-06

Version 7.5

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Approved by: People & Places Committee

A guide to how we deal with complaints - November 2023

This document explains how we approach and resolve complaints.

1. Our Values

- 1.1 The way we do things is determined by our values.
- 1.2 We are **Caring, Committed** and we will be **Successful Together**
- 1.3 We care about our tenants and the communities that they live in and are committed to providing excellent services.
- 1.4 We know that we can only be successful together by listening to you and respecting your views. We also know that sometimes things go wrong, and this might lead to you making a complaint. This document explains what we do when that happens, how we will try to put things right and how we learn lessons from complaints.
- 1.5 Our staff follow these guidelines when dealing with complaints.
 - Listen and Show Empathy
 - Take Ownership
 - Focus on Resolution

2. What is a complaint?

- 2.1 *A complaint is an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by Southway, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.*
- 2.2 There are times when you might tell us that you are dissatisfied or unhappy with the way that we are doing things, but you might not call it a complaint. Don't worry we will still approach these problems in the same way.

3. The Housing Ombudsman

- 3.1 The Housing Ombudsman makes sure that Housing Associations are dealing with complaints properly. They review and adjudicate on complaints that have been through the Southway complaints process.
- 3.2 The Housing Ombudsman sets out how they expect Landlords to deal with complaints through a Complaint Handling Code. If they find breaches of the code when reviewing a complaint, they can take action against landlords and make sure that tenants are awarded suitable redress or compensation for any distress or inconvenience they have experienced.
- 3.3 Once you have complained to us, the Ombudsman can get involved to support resolution. You can find out more about the Ombudsman by visiting their [website](#) and contact them for advice at any point during your complaint via the following methods.
- 3.4 **Complaint form:** [Fill in the online complaint form](#)
Email: info@housing-ombudsman.org.uk
Phone: 0300 111 3000
Write: Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ
Fax: 020 7831 1942
- 3.5 Each year Southway conducts a self-assessment against the Complaint Handling Code to make sure that we are compliant, and to identify any areas for improvement in how we deal with complaints. The assessment and any resulting actions are then signed off by our People and Places Committee, a sub-committee of Southway's Board.
- 3.6 The latest version is available to view on our website [here](#). We will also provide a hard copy for tenants who require it.
- 3.7 You can contact the Ombudsman at any time for advice on your complaint <https://www.housing-ombudsman.org.uk/>

4. I want to complain. How do I go about it?

- 4.1 Obviously, we hope that you will not need to complain but if you do there are a range of ways you can let us know that you are unhappy with our services, telephone, letter, website, social media and in person.

- 4.2 If you contact us via social media, we will deal with your complaint via private channels to protect confidentiality.
- 4.3 We know that some people might not feel comfortable complaining in person. So, if you would rather ask someone to deal with the matter for you, we will accept complaints from friends, relatives, support workers, local Councillors, or anyone else you would like to represent you. We will always check that you have given your consent for someone to contact us on your behalf to make sure that we protect your privacy and comply with Data Protection Legislation.
- 4.4 Southway complies with the Equality Act 2010. We carry out Equality Impact Assessments to make sure that everybody has equal access to our services and will consider all reasonable adjustments to make this happen. Examples of reasonable adjustments include:
- (1) Use of a translation service for tenants who do not have English as a first language.
 - (2) Tailored communication methods for tenants who are hearing or visually impaired.
 - (3) Accepting, verbal complaints and then recording these, if complainants are unable to write or type.
 - (4) There may also be other ways to assist you to complain that are not listed above. Please contact us to discuss how we can help and ensure that you are not denied access to our complaints service.
- 4.5 Once you notify us of a reasonable adjustment you require in order to make a complaint we will, with your permission, retain this on our records to ensure that it is easy for you to complain again should you ever need to do so in the future.

5. What Happens Next

- 5.1 We have a dedicated complaints team within our Customer Hub whose job it is to try and resolve problems.
- 5.2 There are some issues that we may be able to resolve quickly, such as a missed repair. We call these service requests. However, if further enquiries are needed to resolve the problem, or if you request it, we will log a complaint. Formal complaints can take up to 5 working days to log, before a full investigation begins.

6. Formal Complaints

- 6.1 In line with the Ombudsman's Complaint Handling Code Southway has a two-stage formal complaints process.

Stage 1

- 6.2 Your complaint will be assigned to an officer who will be responsible for dealing with it and keeping you up to date with what is happening. All officers that handle Southway complaints will be trained and understand the complaints policy. If there is a potential conflict of interest (the officer is part of the complaint or is known to you in a way that might compromise impartiality) we will assign the complaint to a different officer. We will confirm this to you no later than five working days after you make the request.
- 6.3 The officer will be proactive, find out what you are seeking as an outcome and consider this when conducting their investigation and making their decision.
- 6.4 The officer will consider all information and evidence carefully, be independent, impartial and focus on a solution to the problem with an open mind.
- 6.5 We will consider previous complaint reports if it helps us to understand and resolve the issue.
- 6.6 If you want to raise another issue during this period, we will consider it alongside your original complaint. We will try to provide you with one response that covers both issues, unless it means that the response to your first complaint will be delayed, or you do not want us to.
- 6.7 You will usually receive a full written response within 10 working days, written in plain English that sets out our decision on the complaint and what steps we intend to take next.
- 6.8 The response will address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.
- 6.9 If, for some reason, we cannot provide a response within 10 working days we will explain why and agree a date that you will receive it by. This will not normally be longer than another 10 working days and we will keep you informed about the reasons for the delay. If the delay is due to staff absence, we will assign your complaint to another officer.

- 6.10 We will advise you what to do if you are still not satisfied. If you want your complaint to be reviewed through Stage 2 of our process, you will need to contact us, within six weeks of the date of receiving the outcome and explain why you are still dissatisfied.

Stage 2

- 6.11 Your complaint will be assigned to a senior manager who will be responsible for dealing with it and keeping you up to date with what is happening. This will usually be an officer with no prior involvement in the case.
- 6.12 All officers that handle Southway complaints will be trained and understand the complaints policy. If there is a potential conflict of interest (the officer is part of the complaint or is known to you in a way that might compromise impartiality) we will assign the complaint to a different officer. We will confirm this to you no later than five working days after you make the request.
- 6.13 The officer will be proactive, find out what you are seeking as an outcome and consider this when conducting their investigation and making their decision.
- 6.14 The officer will consider all information and evidence carefully, be independent, impartial and focus on a solution to the problem with an open mind.
- 6.15 We will consider previous complaint reports if it helps us to understand and resolve the issue. We will conduct a full review of your complaint and if we do not change our original decision we will notify you as soon as possible, explain the reasons why.
- 6.16 Whatever the outcome of the review we will give you advice on how to contact the Ombudsman if you wish to do so.
- 6.17 You will receive a full written response within 20 working days, written in plain English that sets out our decision on the complaint and what steps we intend to take next.
- 6.18 The response will address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.
- 6.19 The response will not be delayed because outstanding actions required to address the issue, have not been completed. For example, we have agreed to carry out a repair, to resolve the complaint, but we are awaiting a part to complete it. We will track actions that we agree as part of complaints

resolution and provide you with regular updates until the point that they are complete. If, for some reason, we cannot provide a response within 20 working days we will explain why and agree a date that you will receive it by. This will not normally be longer than another 10 working days and we will keep you informed about the reasons for the delay. If the delay is due to staff absence, we will assign your complaint to another officer.

7. Complaint Outcomes

7.1 When you make a complaint, we will either uphold or not uphold it. This means that we believe that the service provided has been of a standard that can be reasonably expected, or is in line with our policy:

- Upheld. This means the outcome of the investigation has found in your favour. We will take the necessary action to resolve the situation.
- Not Upheld. This means the outcome of the investigation has not found in your favour. If this is the case we will tell you how to appeal, or contact the Ombudsman as appropriate

7.2 If you complain about several issues and we uphold some of them, then we will class the complaint as upheld.

7.3 If a complaint is upheld at any stage of the process, Southway will:

- Say sorry for the things we got wrong.
- Apologise to you for the inconvenience caused.
- Take some practical action to put things right. We will agree the actions with you and set a realistic deadline to complete them.
- Ensure that the same situation does not happen again.
- Offer compensation in some circumstances. You can find more detail about this in our [compensation policy](#).

8. I'm still not satisfied. What do I do now?

8.1 A very small minority of complaints are not resolved by our internal process and therefore need to be reviewed externally. This is done by the Housing Ombudsman.

- 8.2 The Ombudsman will only investigate complaints after they have been through our internal complaints process and will require proof that Southway have considered the complaint. This would usually be the Stage 2 review decision letter.

9. Learning From our Mistakes

- 9.1 We see complaints as an opportunity to learn, do things differently, and improve our services. We will discuss complaints with individuals and teams, so that we can do better next time.
- 9.2 We will include lessons learned in our complaint responses, if applicable, so you understand how your complaint has helped us to improve services at Southway.
- 9.3 Every year we will report to our Tenants how many complaints we received, how many were reported to the Ombudsman, but more importantly the service improvements we have made as a result. We will publish the information on our website, and in our Tenant newsletter, Southway Stories.
- 9.4 Our Complaints Policy alongside most of our other Customer policies is the responsibility of our People and Places Committee. This Committee has delegated authority from the Board and is mainly made up of Tenants and Local Councillors. They will receive an annual report on complaint handling performance, which will include a self-assessment against the Complaint Handling code.

10. Involving Customers

- 10.1 We recognise that the best way to make our services customer friendly is to involve customers in designing and reviewing them. This extends to our approach to complaints.
- 10.2 We have a Complaints Service Improvement Group which, reviews anonymised complaints once they have been through our complaints process, tell us where they think we did well, or got things wrong, and suggest areas for improvement when handling complaints in the future. We will only refer your complaint to this group if you give us your consent.

11. Compliments

- 11.1 We are happy to say that we receive far more compliments than complaints from our tenants. Praise and compliments let us know what we are doing well and where we are providing a good service. All praise and compliments received will be passed on to the staff concerned.

12. Exceptions

- 12.1 There are a few complaints that we deal with differently for commercial, legal, or other reasons. A guide to when we need to do this can be found below.
- 12.2 If your complaint is about another resident, or a member of staff, they will be given the chance to set out their position or comment on any findings before a final decision is reached.

13. Review

- 13.1 We will review this guide at least every two years to make sure that it is up to date and relevant.

Southway – Complaints Exceptions

14. Complaints Exceptions

- 14.1 There are some service areas and issues that sit outside of this complaints policy and therefore will be dealt with in a different way.
- 14.2 If the issue giving rise to the complaint occurred over 12 months ago, we would not normally consider it as part of this policy. We may waive this if the complaint concerns serious safeguarding or health and safety issues.
- 14.3 We will not consider complaints if they have already been dealt with under the complaints policy.
- 14.4 You have the right to contact the Ombudsman should you wish to challenge an instance where we are not prepared to consider a complaint.
- 14.5 The following are some examples of how we might deal with things differently, or outside our main complaints policy.

15. ASB Complaints

- 15.1 Complaints from a customer about anti-social behaviour from another tenant or resident will be dealt with under the terms of the Anti-Social Behaviour (ASB) policy.
- 15.2 Any complaint received about the outcome of an ASB case may be dealt with through an ASB case review. This will be carried out by an officer, or manager with no prior involvement in the case.
- 15.3 The investigating officer will have different options available to them including reopening an investigation or taking other action. The reasons for their decision will be communicated and advice provided on how to seek review via a designated person, or the Ombudsman.
- 15.4 Complaints about the way a case has been handled, or the behaviour of a staff member will be dealt with through the normal complaints policy.

16. Commercial or Legal Complaints

- 16.1 We will not consider complaints where:
 - Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
 - Your complaint is related to a commercial transaction with Southway, that arises from your employment. We will deal with these matters through referring to the relevant contract.
 - Southway has a small number of properties that are let at Market Rent. There is a separate one stage complaints policy for these tenants, and no recourse to the Ombudsman for complaint resolution.

17. Complaints about Staff and Involved Residents.

- 17.1 If your complaint is about one of Southway's involved residents, or a member of staff, we will consider whether the complaints policy is the most appropriate route depending on the nature of the allegation. We will discuss this with you when you make your initial complaint.

18. Complaints about Financial Advice

- 18.1 We offer a free debt advice service to our tenants. If complaints about this service cannot be resolved in line with this Policy, complainants will be advised of the opportunity to seek redress through the Financial Ombudsman Service, enclosing a copy of the Financial Ombudsman Services standard explanatory leaflet and the contact details of the Financial Ombudsman Service.

19. Complaints to the Regulator of Social Housing Standards

- 19.1 We adhere to the consumer standards as set out by the housing regulator. The standards cover a range of issues around quality of accommodation and tenancy management.
- 19.2 Tenants have the right to report alleged breaches for the regulator to investigate. Further details can be found by visiting <https://www.gov.uk/government/organisations/regulator-of-social-housing/about/complaints-procedure>

20. Complaints About Other Organisations

- 20.1 We work with a number of different organisations to provide services to our tenants. Should you have a complaint about their service while carrying out business or activity for Southway we will investigate this through the Complaints Policy. If the complaint does not relate to Southway activity we will we will advise you of the best course of action.

21. Anonymous Complaints

- 21.1 Southway will investigate and respond to all complaints even if the source is unknown. We will hold the outcome on file, but for obvious reasons will not be able to provide a written response to the complainant.

22. Unreasonable Complaints

- 22.1 Occasionally complaints are received from people who are unwilling to accept the outcome of an investigation, even after the complaints procedure has been exhausted. There are also some customers who persistently make complaints that are without foundation or that are simply beyond our capability to resolve.

22.2 All complaints will be considered carefully. If, however, the subject has already been dealt with effectively or the complaint is deemed unreasonable, the matter will be discussed with the appropriate manager and Director and dealt with outside the normal complaints procedure.

Examples of what we consider unreasonable include:

- refusing to specify the grounds of a complaint despite offers of help.
- refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- refusing to accept that certain issues are not within the scope of a complaints process.
- insisting on the complaint being dealt with in ways which are incompatible with our complaint's procedure or with good practice.
- making unjustified complaints about staff who are trying to deal with the issues and seeking to have them replaced.
- changing the basis of the complaint as the investigation proceeds
- covertly recording meetings or conversations
- submitting falsified documents from themselves or others
- bringing complaints designed to cause disruption or annoyance or lacking any serious purpose or value.
- making excessive demands on the time and resources of staff with lengthy and/or repeated phone calls, emails to numerous staff or detailed letters every few days and expecting immediate responses
- behaviour that appears to be deliberately targeted at one or more members of staff without good cause.
- inappropriate behaviour towards Southway staff investigating or involved in the complaint such as inappropriate use of language, aggression, or violence.

POLICY REVIEW HISTORY	
<i>To be completed during each review</i>	
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